

**TIGARD CITY COUNCIL  
WORKSHOP AND BUSINESS MEETING  
August 15, 2006 - 6:30 p.m.**

**TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223**



**PUBLIC NOTICE:**

Upon request, the City will endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

**SEE ATTACHED AGENDA**

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A G E N D A  
TIGARD CITY COUNCIL WORKSHOP MEETING  
AUGUST 15, 2006

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6:30 PM

1. WORKSHOP MEETING
  - 1.1 Call to Order – Tigard City Council
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  - 1.4 Council Communications & Liaison Reports
  - 1.5 Call to Council and Staff for Non-Agenda Items
  
2. RECEIVE SITE COMMITTEE UPDATE - SENIOR CENTER REMODEL
  - Staff Report: Administration Department
  
3. DISCUSS ROLES AND RESPONSIBILITIES OF THE CITY CENTER ADVISORY COMMISSION (CCAC)
  - Staff Report: Community Development Department
  
4. DISCUSS TOWN HALL AUDIO-VISUAL UPGRADE
  - Staff Report: Financial and Information Services Department
  
5. DISCUSS WHETHER TO INITIATE A DEVELOPMENT CODE AMENDMENT TO ALLOW NON-RESIDENTIAL USES IN A RESIDENTIAL ZONING DISTRICT AT THE QUELLO HOUSE AND SIMILAR PROPERTIES
  - Staff Report: Community Development Department

6. DISCUSS CITY COUNCIL REPORT CARD
  - Staff Report: Administration Department
7. UPDATE ON THE STATUS OF THE 2006 CITY COUNCIL GOALS
  - Staff Report: Administration Department

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TIGARD CITY COUNCIL BUSINESS MEETING  
AUGUST 15, 2006

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8. CONSIDER AN AMENDMENT TO THE CITY COUNCIL GROUND RULES
  - a. Staff Report: Administration Department
  - b. City Council Discussion
  - c. City Council Consideration: Resolution No. 06-\_\_\_\_\_
9. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
  - 9.1 Approve Council Minutes for July 18, 2006
  - 9.2 Appoint Building Appeals Board Member - Resolution No. 06 -\_\_\_\_\_
  - 9.3 Approve Budget Amendment #4 to the FY 2006-07 Budget to Increase Appropriations in the Gas Tax Capital Projects Budget within the Community Investment Program for Additional Funding for the Hall Boulevard Sidewalk Project – Resolution No. 06-\_\_\_\_\_
  - 9.4 Approve Budget Amendment #5 to the FY 2006-07 Budget to Increase Appropriations in the Parks Capital Project budget within the Community Investment Program for Additional Funding for the Tualatin River/Cook Park Trail from Garden to Bridge Project – Resolution No. 06-\_\_\_\_\_
  - 9.5 Local Contract Review Board:
    - a. Award Contract for the Construction of the FY 2006-07 Pavement Major Maintenance Program (PMMP) – Phase 1
    - b. Award Contract for Grounds Maintenance at the City's Water Reservoir Sites and Storm Water Quality Facilities
  - Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.
10. COUNCIL LIAISON REPORTS
11. NON AGENDA ITEMS

12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

13. ADJOURNMENT

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Agenda Item #

Meeting Date

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August 15, 2006

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Senior Center Remodel- Site Committee Update

Prepared By: Loreen Mills

Dept Head Approval: EAM for CP

City Mgr Approval: EAM for CP

### ISSUE BEFORE THE COUNCIL

City Council requested input from the Loaves & Fishes Tigard Senior Center Site Committee on July 18, 2006 before Council determines whether to proceed with the Senior Center remodel this year or postpone the remodel for study/review.

### STAFF RECOMMENDATION

Proceed with the Senior Center Remodel process now.

### KEY FACTS AND INFORMATION SUMMARY

Tigard has partnered with Loaves and Fishes since the mid-70's to provide senior meals and programming. In the fall of 2001, Council and the Senior Center Steering Committee began annual joint meetings to discuss senior programming and services in Tigard.

Since October 2004, City Council has continued to encourage Loaves & Fishes to plan for an upgrade of the Tigard Senior Center facilities, to involve the community to determine citizens' desire for future service and program enhancements and design the facilities to meet those needs. Loaves and Fishes conducted a citizen vision retreat and other opportunities for citizens to share their vision for service and program enhancements.

For the last two fiscal years, the 5-Year CIP budget included \$1,050,000 for Senior Center upgrade in FY 07/08. This fiscal year (06/07) \$200,000 was added to hire an architect to complete architectural/engineering design and develop construction bid documents.

On June 26, 2006, the City Council entered into a five-year lease agreement with Loaves & Fishes to provide meals, services and programming at the Tigard Senior Center. Loaves and Fishes currently spends about \$300,000 a year in operating costs in providing these services at the Tigard Center.

On July 18, 2006, Staff requested Council authorization for funding authority to spend \$100,000 of this year's CIP funds for architectural work to get a conditional use application started for the remodel. Council discussed delaying the remodel and CDBG application to review how senior services should be provided.

Two discussion points rose at the 7/18 Council meeting: a) food quality and whether the kitchen was being remodeled to allow cooking onsite and b) programming at the Center.

- a) **Food Quality** – Loaves & Fishes provides meals at the Center from the Loaves & Fishes Central Kitchen as well as meal enhancements cooked on site (i.e., barbecue on Tuesday, Mexican food on Thursdays prepared by

an Hispanic cook to name a couple). Regular surveys of participants are taken to determine food service strengths and areas which need to be changed. Joan Smith, Executive Director of Loaves & Fishes will comment more about the survey results at the Council meeting.

The kitchen remodel does include a large commercial grade range so that food can be prepared on-site more easily. The kitchen equipment currently allows for on-site meal preparation.

- b) **Programming** – Loaves & Fishes has been concerned about getting more programming in the Center, especially in the afternoon. For that reason, they are already in the process of recruiting a new activity coordinator to work at the Tigard Center. This is an issue that the Senior Center Steering Committee has addressed as well.

Staff believes senior meal, services and programming is done well by Loaves & Fishes and at a reasonable cost. Council continued to support the efforts of Loaves & Fishes at the annual joint meetings with the Senior Center and even entered into a new lease with Loaves & Fishes in June of this year to provide programming for the next five years. Staff recommends we continue to work with our program partner and proceed with the process to remodel the Senior Center now.

Joan Smith, Executive Director of Loaves & Fishes will be at the 8/15 meeting to visit with Council about these issues. Bill Gerkin will also attend and is the current Chair of the Tigard Senior Center Steering Committee and serves on both the Tigard and regional Site Committees for Loaves & Fishes.

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#### **OTHER ALTERNATIVES CONSIDERED**

Stop the remodel process until a review can be completed to determine how the City wishes to proceed with senior nutrition and social service programming.

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#### **COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Tigard Beyond Tomorrow - Community Character & Quality of Life Goals:

Community Diversity – Ethnic groups represented in Tigard will be recognized and involved in the community.

Community Participation – The community will be encouraged to participate in all decision-making processes.

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#### **ATTACHMENT LIST**

None

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#### **FISCAL NOTES**

Current fiscal year budget includes \$200,000 to complete architectural and engineering design work and prepare construction bid documents for the remodel. The 5-year CIP budget anticipates expenditure of \$1,050,000 in the 2007/08 fiscal year for the actual construction. This figure includes revenue of \$100,000 from Loaves & Fishes and \$475,000 from CDBG.

Agenda Item #

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Meeting Date

August 15, 2006

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title City Center Advisory Commission (CCAC) Roles and Responsibilities

Prepared By: Phil Nachbar

Dept Head Okay

TC

City Mgr Okay

EAM for CP

### ISSUE BEFORE THE COUNCIL AND KEY FACTS

Shall the City Council adopt by-laws for the City Center Advisory Commission (CCAC)?

### STAFF RECOMMENDATION

Review staff report and draft by-laws, and concur or modify as appropriate for adoption of resolution at a later time.

### KEY FACTS AND INFORMATION SUMMARY

The City Center Advisory Commission (CCAC) has been operating without by-laws since it was created in July 2005. With passage of the Urban Renewal Ballot Measure in May of 2006, the role of the CCAC becomes more permanent and changes to the implementation of Urban Renewal projects as opposed to development of the Urban Renewal Plan. Establishing a set of by-laws should reflect this change in role and help to clarify the role, responsibilities, composition / membership, terms, and operating procedures of the Commission. Having a clear set of by-laws will provide direction and structure for the group on an on-going basis and when faced with the need for change.

Staff reviewed the organization of four other Urban Renewal Advisory boards including Tualatin, West Salem, North Gateway (Salem), and Sherwood. Lake Oswego does not use an advisory board for Urban Renewal purposes. A summary matrix is provided as an attachment to this report.

A separate staff report and draft set of by-laws is provided as a separate attachment for Council review. The CCAC was sent a copy of this information in preparation for discussion on August 15. This will allow the CCAC to review the proposed by-laws at its August 9<sup>th</sup> meeting and to more effectively participate in the workshop.

The range of items addressed in the draft set of by-laws include: Charge and responsibilities, composition and appointments, term of office, organization of the Commission, member responsibilities, attendance, quorum, removal of members, annual report, and cessation of the Commission.

### OTHER ALTERNATIVES CONSIDERED

None

### COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT

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Central Business District (CBD) #1) Provide opportunities to work proactively with Tigard Central Business District Association (TCBDA) businesses and property owners and citizens of Tigard to set the course for the future of the central business district. List any Council Goals or Tigard Beyond Tomorrow Vision Goals, Strategies, or Action Plan items.

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#### **ATTACHMENT LIST**

Attachment 1: Proposed Resolution adopting by-laws for the CCAC

Attachment 2: Memo to Mayor and City Council from Phil Nachbar and Tom Coffee regarding CCAC by-laws

Attachment 3: Summary matrix of other Urban Renewal Advisory Boards – By-laws

Attachment 4: Summary matrix of representation on Urban Renewal Advisory Boards

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#### **FISCAL NOTES**

There are no cost impacts associated with the adoption of by-laws for the City Center Advisory Commission (CCAC).



CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION ADOPTING BY-LAWS FOR THE CITY CENTER ADVISORY  
COMMISSION (CCAC)

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WHEREAS, the City Center Advisory Commission is established by Section 2.64.060 of the Tigard Municipal Code; and

WHEREAS, the City Council in its capacity as the City Center Development Agency desires to clarify the roles and responsibilities of the City Center Advisory Commission.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: By-Laws for the City Center Advisory Commission as shown in Exhibit A are hereby adopted.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

## BY-LAWS OF THE CITY CENTER ADVISORY COMMISSION (CCAC)

### SECTION 1. CHARGE AND RESPONSIBILITIES

- (a) The Commission shall have no powers except as conferred by this resolution, City Charter, or the Tigard Municipal Code.
- (b) It shall be the function of the Commission to act as an advisory body to the City Center Development Agency (CCDA, the Urban Renewal Agency for the City of Tigard) or the City Council as appropriate.
- (c) The City Center Advisory Commission (CCAC) is charged with advising the City Center Development Agency (CCDA), the Urban Renewal Agency for the City of Tigard, on matters pertaining to Urban Renewal Plan implementation and tax increment fund allocations for the City Center Urban Renewal District. Recommendations pertaining to policy, budget, and implementation of urban renewal projects identified within the Urban Renewal Plan and / or the annually adopted Downtown Implementation Strategy and Work Program will be made to the City Center Development Agency or City Council as appropriate for consideration, deliberation and action.

### SECTION 2. COMPOSITION

- (a) The Commission shall consist of nine (9) appointed members who are residents or own businesses within the City of Tigard with the following representation:
  - (1) Three (3) persons representing interests of business owners, property owners, and other with financial or occupational interests within the City Center Urban Renewal District;
  - (2) Five (5) persons representing the Tigard Community at large;
  - (3) One (1) person residing within or adjacent to the boundaries of the City Center Urban Renewal District;

### SECTION 3. APPOINTMENTS

- (a) At the second business meeting of January 2007, Council will perform one of the following options to achieve the compositional requirements in Section 2 above:

- 1) If there are sufficient vacancies on the Commission to appoint new members to meet the composition requirements, Council shall make the appropriate appointments, or
  - 2) If there are not sufficient vacancies on the Commission to appoint new members to meet the compositional requirements, Council shall disband and reconstitute the Commission by a method chosen by Council to achieve this end. Current members of the Commission will have priority for reappointment provided compositional requirements are met.
- (b) In addition, Council shall determine a means of staggering appointments of all current members using one (1) or two (2) year appointments.
- (c) Appointments shall be made by the City Council with recommendations from the Mayor.

#### SECTION 4. TERM OF OFFICE

- (a) After the initial staggering of terms as defined in Section 2 above, the term of office of appointed members shall be two (2) years, or until their successors are qualified and appointed.
- (b) Any vacancy in said Commission shall be filled by appointment by the Council upon recommendation by the Mayor for the unexpired portion of the term.
- (c) Members may be reappointed, except that a member who has served three (3) full two-year terms may not be reappointed until after the expiration of one full year from the date of expiration of that member's immediate previous term of office.
- (d) Members of the board shall receive no compensation for their services.

#### SECTION 5. ORGANIZATION OF THE COMMISSION

- (a) The Commission shall elect a Chair and Vice Chair from its members who shall hold office at the pleasure of the Commission.
- (b) The Commission shall meet at least once quarterly during a calendar year at a time and place that is specified at least 5 days in advance. The Commission may meet at other times in accordance with its rules. All meetings shall be open to the public.

- (c) A record of the Commission's proceedings shall be filed with the city recorder.

#### SECTION 6. COMMISSION MEMBER RESPONSIBILITIES

- (a) Members of the Commission shall:
  - (1) regularly attend CCAC meetings and contribute constructively to discussions,
  - (2) consider and discuss issues from a Citywide perspective, as well as that of particular stakeholders or interests,
  - (3) understand and be able to articulate the CCAC's charge, responsibilities and adopted, annual work program,
  - (4) strive to reach consensus on matters under consideration
  - (5) act with respect and consideration for the viewpoint of others,
  - (6) review and provide comment on reports, presentations, and recommended policies or strategies related to Downtown redevelopment before the Commission, and
  - (7) vote on motions in front of the Commission, except where reasonable abstention is necessary.
- (b) Commission members may engage in general discussions regarding its charge, responsibilities or projects within the Urban Renewal Plan or Downtown Implementation Strategy, but shall not discuss real estate projects or proposals with potential developers or property owners without the authorization of Council.
- (c) In addition, members shall not make representations on behalf of the City of Tigard with regard to any such project without the authorization of Council.

#### SECTION 7. ATTENDANCE

If a member of the Commission is unable to attend a meeting, he or she is expected to notify the Chair or Vice Chair. If any member is absent from 6 meetings within one year or three consecutive meetings without reasonable cause, upon majority vote of the Commission, that position shall be declared vacant. The Commission shall forward their action to the Mayor and Council, who shall fill the vacant position.

## SECTION 8. QUORUM

At any meeting of the Commission, a quorum shall be a majority of the current members of the Commission. No action shall be taken in the absence of a quorum except that the meeting may continue with discussion on agenda items. For the purposes of forming a quorum, members who have disqualified or excused themselves from participation in any matter shall be counted as present.

In the event a quorum will not be present at any meeting, the Chair or Vice Chair shall notify the Commission members in advance of that fact so that a decision may be made whether to meet and take no action on agenda items or to reschedule to a different time.

## SECTION 9. REMOVAL OF MEMBERS

- (a) The City Council may remove members of the Commission in accordance with Section 7 Attendance.
- (b) The Council may also remove members, when, in its judgment, the conduct of a member does not conform to Section 6 Member Responsibilities.

## SECTION 10. ANNUAL REPORT OF COMMISSION

- (a) Not later than December 1 of each year, the Commission shall prepare and file its Annual Report to the City Center Development Agency (CCDA).
- (b) The Annual Report shall include a summary of key activities and proceedings and any specific suggestions or recommendations which members think would assist their mission or the overall goals for the Downtown.
- (c) The Annual Report shall not be submitted unless signed by all members of the Commission.

## SECTION 11. CESSATION OF COMMISSION

Upon completion and closing out of the City Center Urban Renewal District, the City Center Advisory Commission (CCAC) shall cease its activities and shall be abolished without further action by the Council.



# MEMORANDUM

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TO: Mayor and City Council

FROM: Phil Nachbar, Senior Planner / Downtown Development,  
Tom Coffee, Community Development Director,

RE: City Center Advisory Commission (CCAC) By-laws

DATE: August 1, 2006

**Issues:** The City Center Advisory Commission (CCAC) has been operating without by-laws since it was created in July 2005. The initial focus of the Commission was to assist in the development and approval by voters of Tigard's City Center Urban Renewal Plan. With voters' approval the Urban Renewal Ballot Measure in May 2006, the role of the Commission becomes more permanent and the focus of the Commission's work is now on the implementation of the Urban Renewal Plan. In addition, the composition of the CCAC was purposely set up to include half of its membership from the former Downtown Task Force. This was done to make sure that those who had a hand in developing the Downtown Improvement Plan would carry forward their expertise to the Urban Renewal Plan. Now that the Urban Renewal Plan is completed, adopted by Council and approved by voters, it is appropriate to re-establish the composition of the CCAC to reflect current needs.

Establishing a set of by-laws would help to clarify the role, responsibilities, composition / membership, terms, and operating procedures of the Commission. Having a clear set of by-laws will provide direction and structure for the group on an on-going basis and when faced with the need for change.

**Background:** The City Center Advisory Commission (CCAC) was established in 1989 along with the City Center Development Agency (CCDA) in anticipation of the use of Urban Renewal in Downtown Tigard. In May of 2005, the CCDA was reactivated, and membership of the CCAC established. While the legal authority for the CCAC is set forth under Section 2.64.060 of the Municipal Code, an advisory body for Urban Renewal is not required under State Urban Renewal Law.

The CCAC has been active since July of 2005 beginning with eight (8) members, and four (4) additional at-large members joined the group in August. From July to approximately November, the group worked primarily on development of the Urban Renewal Plan, and the outreach effort related to the plan. Since December and the adoption of the Urban Renewal Plan, the Commission has become involved in a broader range of issues including the Capital Improvement Program (CIP) for Downtown, Streetscape Design, the Downtown Implementation Strategy, Land Use & Design Guidelines for Downtown, and the development of new projects such as a demonstration

improvement project for Main Street, safety improvements on Main Street, and the Hall Blvd. / 99W Gateway.

**Composition / Number of Members:** The composition of the CCAC was set by the May 2005 resolution, and includes a total of twelve members (12) and two (2) alternates with the following representation: six (6) Downtown Taskforce Members, one (1) Planning Commission member, one (1) Parks and Recreation Board Member, and up to four (4) City residents or property owners at-large.

Currently, there are nine (9) members and one (1) alternate representing: (3) former Downtown Task Force members, one (1) Planning Commission member, one (1) Parks and Recreation Board member, and four (4) at-large members. Currently, there is one (1) Downtown business owner represented on the Commission. There are no Downtown property owners represented on the CCAC.

In reviewing the advisory boards of other Urban Renewal Districts including Tualatin, Sherwood, and Salem, all had strong representation of either property owners and / or business owners, and some representation of community at-large and residents of the district. Tualatin like Tigard has representation of its Parks board and Planning Commission on its Urban Renewal Advisory board.

Although the Tigard Municipal Code provides for a membership of seven (7) to twelve (12) persons, the resolution in May of 2005 established twelve (12) as the number of persons. Currently, there are nine (9) attending members with one (1) alternate. The total number of persons on the CCAC should reflect the type of representation needed, work load, ease of decision-making, and an environment encouraging participation. Having an odd number is advisable for voting purposes. Typically, advisory boards and commissions have from seven (7) to nine (9) members.

**Recommendation:** Considering the need for broad community support, adequate representation of Downtown property and business owners, and the need to create an effective group with an environment for good communications, the following composition and number of members for the CCAC is recommended:

CCAC Composition; Nine (9) members who are residents or own businesses within the City of Tigard with:

- Three (3) persons representing interests of business owners, property owners, and other with financial or occupational interests within the City Center Urban Renewal District;
- Five (5) persons representing the Tigard Community at large;
- One (1) person residing within or adjacent to the boundaries of the City Center Urban Renewal District;

**Roles & Responsibilities:** In providing a clarification of the role of the CCAC, it is important to consider both the Commission's overall mission and its specific set of responsibilities. The CCAC was established under the Tigard Municipal Code (Chapter 2.64.060) in anticipation of Urban Renewal in 1989. The purpose of the Commission as defined under this section is "to assist in

implementation of the City Center Development Plan, to make recommendations to the City Center Development Agency and to help inform Tigard's Citizens of the plan's content and activities". While this definition of role provides some direction, it references an earlier proposed plan for Downtown, is not as specific as it could be, and leaves open the interpretation of the kind of recommendations that will be made to the City Center Development Agency.

Since the Urban Renewal Plan has been developed, adopted by Council and approved by voters, the role of the Commission is no longer involved with the development of the Urban Renewal Plan nor informing citizens' about the plan, but rather the implementation of projects within the Urban Renewal Plan. The new statement of responsibilities needs to reflect this.

In addition, it also important to define whether the Commission is a decision-making body or an advisory group. The role of the CCAC with regard to Urban Renewal and Downtown is clearly "advisory". It has been set up to provide advice to the CCDA on matters related to Urban Renewal and the Downtown, and was never intended to be a decision-making body. Although the CCAC is defined as an "Advisory Commission", there is no clear definition of "advisory". It may be helpful to define the term "advisory" directly or by way of the Commission's definition of responsibilities.

Of the four city advisory boards surveyed, three (3) had very specific definitions as to duties and responsibilities of the boards. While roles were clearly defined, they also left open the opportunity to provide advice on other issues affecting the particular Urban Renewal District. The advantage of providing a specific definition is that expectations are made clear about what is needed and can be anticipated from the group. With a more general definition of duties, the same can be accomplished though it is less clear what is expected.

The following are the recommended charge and responsibilities of the City Center Advisory Commission. The definition implies that the Commission is "advisory":

**Charge and Responsibilities (Recommendations):** The City Center Advisory Commission (CCAC) is charged with advising the City Center Development Agency (CCDA), the Urban Renewal Agency for the City of Tigard, on matters pertaining to Urban Renewal Plan implementation and tax increment fund allocations for the City Center Urban Renewal District. Recommendations pertaining to policy, budget, and implementation of urban renewal projects or other projects relevant to the redevelopment of Downtown will be made to the City Center Development Agency or City Council as appropriate for consideration, deliberation and action.

**Chair / Vice Chair, Terms, & Elections:** Most of the Commissions surveyed had both a Chair and Vice Chair, annual elections, a 3-year term with a maximum reappointment to a total of two terms (6 years). Having a Vice Chair provides an alternate Chair during the absence of the current Chair, and training for an individual that could succeed the Chair based on election.

**Recommendations:** To allow for maximum flexibility to choose leadership and allow for personal circumstances, it is recommended that the Chair and Vice Chair be elected on an annual basis for a term of one (1) year. A three (3) year term for individuals may be too long. A two (2)-year term with a maximum reappointment of up to three (3) terms for individual appointments would provide flexibility for individuals, allow for new representation if needed, and define a reasonable timeframe for a personal commitment.



Urban Renewal Advisory Boards / By-laws*					
	City of Lake Oswego	Tualatin UR Advisory Committee	Sherwood UR Advisory Committee	W Salem Redevelopment Advisory Committee	N Gateway UR Board (Salem)
Urban Renewal Board Established	No	yes	yes	yes	yes
By-laws in place	na	yes	No	yes	yes
Membership (number of)	na	15	na	11	11
Term of members (years)	na	3	na	3	3
Max number of terms	na	2	na	2	2
Staggered terms	na	yes	na	yes	yes
Chair	na	yes	na	yes	yes
Term of Chair (years)	na	1	na	none	none
Elections	na	no	na	yes	yes
Vice Chair	na	yes	na	yes	yes
Clear definition of responsibilities	na	yes	no	yes	yes
"Advisory" role	na	yes	yes	yes	yes
Board may alter rules	na	no	na	no	yes
Annual Report	na	yes	na	no	no
"Sunset" clause	na	no	no	yes	yes
* based on review of by-laws / phone conversations July 15-30					

Urban Renewal Advisory Board Representation*	business / prop owners	at-large (reside outside District)	residents of UR District	Planning Commission members	Parks Board Members	Specific geographic location	Total	
W Salem Advisory Board	6	2	3	no	no	no	11	
N Gateway UR Board	5	3	3	no	no	no	11	
Tualatin UR Advisory Committee	7	3	2	2	1	no	15	
Sherwood UR Advisory Committee	2	4	1	1**	1**	2	11	
* based on submitted by laws ** Ex-officio members								

Agenda Item #  
Meeting Date

4  
15 August, 2006

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title Town Hall Audio/Visual Upgrade Discussion

Prepared By: Gary Ehrenfeld Dept Head Approval: LEW City Mgr Approval: EDM for CP

**ISSUE BEFORE THE COUNCIL**

A needs assessment should be conducted to determine the requirements needed to upgrade the Town Hall Audio/Visual system.

**STAFF RECOMMENDATION**

Provide initial input to New World Audio Video design consultant in order to develop relevant design options for the upgrade.

**KEY FACTS AND INFORMATION SUMMARY**

Several deficiencies currently exist with the audio and video capabilities in Town Hall. Sound quality is at times poor and is inconsistent throughout the room. PowerPoint presentations are currently displayed using a whiteboard instead of a video screen, resulting in glare and otherwise poor visual quality. The City recently contracted with New World Audio Video, a design and engineering consulting firm, to analyze the current condition of these systems and develop options for mitigating the deficiencies that exist. Input from Council members and staff is necessary as a part of this analysis. Once this input is received the consultant will develop design plans, which will be presented to Council at a later date for review and final selection. Staff anticipates that the upgrade work will commence during September.

**OTHER ALTERNATIVES CONSIDERED**

No other alternatives have been considered.

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Improve Communication and Relationship with Citizens

**ATTACHMENT LIST**

**FISCAL NOTES**

The contract with New World Audio Video for the design work is not to exceed \$5,700. The FY 2006-07 Adopted Budget includes \$83,000 for this project.

Agenda Item #  
Meeting Date

5  
August 15, 2006

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title Quello House

Prepared By: Tom Coffee Dept Head Approval: TC City Mgr Approval: EAM for CP

**ISSUE BEFORE THE COUNCIL**

Should the City Council direct staff to initiate a Development Code Amendment to allow non-residential uses in a residential zoning district at the Quello House and other similar properties?

**STAFF RECOMMENDATION**

Provide staff direction on this issue.

**KEY FACTS AND INFORMATION SUMMARY**

The attached Memorandum dated July 13, 2006 provides background information on previous proposals related to this issue. Council members have expressed an interest in facilitating the use of the Quello House for limited commercial use in order to allow greater public access to this community resource and to allow the owner to offset the expense of preserving an historic building. Also attached are materials submitted by Dan and Jacque Quello.

An amendment to the Development Code in the form of an overlay zone or a conditional use process could achieve these objectives. If the Council elects to initiate an amendment process, it would be helpful to staff and the Planning Commission if the Council would articulate any concerns or issues it would like to have addressed during the public review and comment period.

**OTHER ALTERNATIVES CONSIDERED**

N/A

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Community Aesthetics: Identify and implement projects and activities that enhance aesthetic qualities valued by those who live and work in Tigard.

**ATTACHMENT LIST**

Attachment 1: Memorandum dated July 13, 2006  
Attachment 2: Materials submitted by the Quellos

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## FISCAL NOTES

N/A



# MEMORANDUM

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TO: Craig Prosser, City Manager

FROM: Tom Coffee, Interim CD Director

RE: Quello House Use Question

DATE: July 13, 2006

Councilor Sally Harding recently suggested that the City should allow the use of the Quello House (and presumably other similar houses) for events on a rental basis. To allow such activities, the City would have to amend the Development Code to permit what would be a commercial use in residential zones. This could be accomplished through a conditional use process.

Such a proposal for this specific property was considered in 2000. The property owner applied for a code amendment to allow weddings and bed and breakfasts in historic overlay zones as a conditional use. The Planning Commission voted 6 to 2 to recommend denial of the proposed code amendment to the City Council. Their reasons included: the lack of historic properties, not an appropriate use in residential zones, and neighborhood opposition.

In August 2000, the City council voted unanimously to deny the proposed amendment. In 2002, the Planning Commission reconsidered the need for a code amendment for bed and breakfasts and unanimously chose not to proceed with amending the Code because: their was "no public outcry" for B&B's, concern for commercial activity in residential zones and they felt that the costs of preparing and processing a code amendment should be borne by those who desired to have such a use.

Further action on this proposal would require direction from Council to initiate a Code amendment.

C: Tom Coffe  
Cindy Prosser  
CC: FW

July 14, 2006

Dear Sydney Sherwood,

In conversations with Commissioners Woodruff and Harding at the Broadway Rose "Opening Night Gala" held at the Quello House on June 30, 2006, I was encouraged to explore ways that the City of Tigard might allow us to use our National Historic Home and award winning gardens as a cultural resource for the community in some limited ways. The discussion centered around agreeing upon a set of conditions, applicable only to "National Historic Properties of two acres or more", (of which ours is the only one in Tigard), for use as a cultural, historical, and social resource.

Just as other cities in Washington and Clackamas Counties allow public and private events at their historic sites, we would like permission to host receptions, luncheons, teas, wine tasting events, etc. under a carefully considered set of conditions that would respect our neighbors rights and wishes, and yet allow for hosting occasional events that would add to the livability and quality of life in Tigard.

In the last few years we have hosted several community fundraisers that have benefited the Historical Society, the Broadway Rose Theater, and a Garden Tour that raised money for the Tigard-Tualatin School District. We were happy to host these events. (See enclosed reviews). It is important to note that all events went off without any complaints or objections from our neighbors.

Because the restoration and maintenance of a large historic facility is expensive and time consuming, we would like permission to host a limited number of similar events for profit. Even the much smaller John Tigard House hosts fund-raisers such as ice cream socials to raise monies for its restoration and upkeep.

We would appreciate your creative thought and an action plan to implement a conditional use agreement that would allow the occasional use of Tigard's only National Historic Property for the cultural enjoyment and benefit of the good people of Tigard!

Thank You Sincerely,

Copies to:

Mayor Dirksen  
Sally Harding  
Nick Wilson  
Tom Woodruff

Dan & Jacque Quello



*The National Trust's  
1994*

*"Great American Home"  
Award*

*The Quello House  
Portland, Oregon*





# News Release

## National Trust for Historic Preservation

1785 Massachusetts Avenue, N.W., Washington, D.C. 20036  
(202) 673-4141 / FAX (202) 673-4299

**FOR IMMEDIATE RELEASE**

**CONTACT: Carol Cunningham  
(202) 673-4141**

### **OREGON TURN-OF-THE CENTURY VICTORIAN FARMHOUSE WINS PRIZE IN THE GREAT AMERICAN HOME AWARDS**

(Washington, D.C., Jan. 12, 1995)...A circa 1906 Victorian farmhouse in Tigard, Ore., received second prize in the category of landscape design in the National Trust for Historic Preservation's sixth annual Great American Home Awards.

Chosen from a national pool of entries, the landscape design was recognized for its excellence in recreating a turn-of-the-century period garden. With owners Dan and Jacque Quello, their children and occasionally friends and neighbors doing most of the work, an overgrown two-acre yard was transformed into a spectacular Victorian landscape, including a grass tennis court, a pond, and seven distinct gardens -- three of them English. With nearby Portland being known as "The Rose City," Jacque Quello incorporated into the plan a variety of period roses and perennials native to the Pacific Northwest. The restored Victorian farm house with its period gardens is a popular attraction for joggers and walkers, many of them carrying cameras.

"These awards recognize individuals who have personally committed themselves to keeping our diverse history alive," says Richard Moe, president of the National Trust. "The time, research and dedication that has gone into each of these projects is nothing short of outstanding."

The Great American Home Awards recognize excellence in residential rehabilitation in the following categories: exterior rehabilitation, interior rehabilitation, landscape design, sympathetic addition and special category -- row houses, town houses and brownstones. A panel of independent

# *garden* **Quello**

**address:** 16445 SW 92nd Ave, Tigard

**directions:** From SW Hall & SW Durham intersection, head west on SW Durham. Turn left onto SW 92nd Ave. Proceed to garden, on your right before the entrance to Cook Park.

**parking:** Park on the Tigard High School side of SW 92nd.

**description:** A gracious entrance invites you in to the romantic garden that surrounds Quello House. Deep garden beds of shrubs, boxwood hedges, old roses and classic perennials mirror the timeless charm of the Queen Anne Cottage home. Sweeping emerald lawns, mature trees, formal statues and fountains lend an air of reverie to the garden. White wicker furniture and concrete benches on the porch, in the gazebo or on the flagstone patio beckon to you to pause and drink in the calm of pastel hues and lush foliage. A lawn tennis court, carriage house, horse pasture and pond seal the illusion of stepping in to another era. Lovingly restored by Dan and Jacque, the 1906 home is listed on the National Register of Historic Places. They received the National Trust's "Great American House Award" in landscaping in 1995.

Agenda Item #  
Meeting Date

6  
August 15, 2005

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title \_\_\_\_\_ Discuss City Council Report Card

Prepared By: \_\_\_\_\_ Liz Newton \_\_\_\_\_ Dept Head Approval: Ed Menger City Mgr Approval: Ed Menger CP

**ISSUE BEFORE THE COUNCIL**

Review the attached suggestions on the Council Report Card submitted by the Committee for Citizen Involvement

**STAFF RECOMMENDATION**

Review the Committee for Citizen Involvement members' comments on the Council Report Card and provide direction to staff on how to proceed.

**KEY FACTS AND INFORMATION SUMMARY**

At the May 16, 2006, City Council meeting, Council members asked that the Committee for Citizen Involvement members review and provide comment on the proposed Council Report Card. A summary of those comments were initially provided to the Council in the June 2, 2006 City Council Newsletter. Staff has reformatted the summary to indicate Committee for Citizen Involvement members' comments under each proposed question.

After City Council provides direction on the questions and distribution, staff will move forward.

**OTHER ALTERNATIVES CONSIDERED**

Not proceed with the Council Report Card.

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Council Goal: Conduct a citywide scientific survey/report card on city services.

**ATTACHMENT LIST**

1. Council Report Card - Committee for Citizen Involvement (CCI) Questionnaire Wording Comments.
2. City Council Report Card Sample
3. Excerpt of May 16, 2006, City Council minutes regarding the Council Report Card

**FISCAL NOTES**

N/A

## **COUNCIL REPORT CARD**

### ***CCI Questionnaire Wording Comments***

Here is a fairly simple – and unscientific instrument – to get some perception of how effectively you think our City Council and staff is. Use it as a thinking tool and a discussion tool just to begin to get an idea of where your strengths and weaknesses are. REMEMBER – it's only a guide – not an official rating sheet!

**1. Accomplishments – List a couple of things that our City Council has done that you can point to with pride.**

- CCI respondents question the need for this question.

**2. Public Image – How does the public regard the City Council? Is it held in high esteem?**

- Respondents describe this question as being too subjective.

**3. Teamwork – How well do you work together? Is the atmosphere in the group conducive to sharing views frankly, and accepting differences? Do decisions get made – or are things left hanging?**

- The meaning of “you” is unclear and how well Council works together as a team is difficult for board members to evaluate.

**4. Policy Making – Does the City Council spend enough time and energy on the big policy questions facing our community, or does it tend to get bogged down in the little details?**

- Good question.

**5. Relationship with Staff – How would you rate the working relationships between the City Council and City staff? Is there a feeling of teamwork, or of pulling in different directions?**

- Board members would have limited knowledge of Council/staff relations.

**6. Information Flow (internal) – Does staff provide you with enough information to make decisions on the issues coming up on the agenda? Do you get too much information to digest? Are City Council members generally well-informed?**

- Good question. Suggest deletion of “are City Council Members generally well informed?”

**7. Information Flow (external) – Does City Council share relevant information with our boards and commissions? Is there an effective means of communication outside formal meetings? Are boards & commissions kept informed of relevant council actions and concerns?**

- Good questions.

**8. Advisory Committees – How effective are our citizen advisory committees? Do you keep in touch with what they are doing? Does the City Council give them clear direction on what they should be doing? Do you REALLY listen to them before making decisions? Are they helping or hurting the decision making process?**

- Good questions. Unspecified re-wording recommended.

**9. Atmosphere – How do you feel about the atmosphere at your meetings? Is it stimulating, exciting, fun? Or do you find it heavy, somber, even boring?**

- Opinions varied from “fair question” to “How is this question useful? What would the response be to a “poor” rating? Circus acts? Fire the chair?”

**10. Citizen Involvement – Are the citizens well informed about what the City Council is doing? Are they kept abreast of the issues?**

- Opinions ranged from good question to “Not sure if the average department head or committee chair could answer this.”

**11. Council Involvement – How involved is the City Council with the business community, community organizations or community social programs? Is the City Council high profile?**

- Respondents recommend the deletion of the last sentence (Is the Council high profile?).

**12. Confidence in Staff – Does staff clearly define options? Are they open and direct and do they provide all relevant information for making decisions?**

- Fair questions.

**13. Conduct of Council Meetings – Do your meetings run smoothly and on time? Are there lots of last minute changes in material that needs to be acted on? Is the agenda conducive to expediting the conduct of the meeting? Do things tend to drag on when they don't need to? Are decisions sometimes made at a late hour when you are too tired to think?**

- Fair questions.

**14. Intergovernmental Relations (Council) – Is the City Council an active player in the METRO, Regional and State decision making process? Do we have a good handle on the**

**issue that would have an impact on our City, influence our future and affect our ability to control our own destiny? (i.e., METRO Charter, County, Inter-City)**

- Because of the insider knowledge required for an informed opinion, may not be an appropriate question for those not on Council

**15. Intergovernmental Relations (Staff) – Is the City staff an active player in METRO, Regional and State decision making process? Do we have a good handle on the issue that would have an impact on our City, influence our future and affect our ability to control our own destiny? (i.e., METRO Charter, County, Inter-City)**

- Same answer as above.

**General Comments:**

1. It's not clear for whom this survey is intended, and at the least it seems a little schizophrenic. Some questions are clearly for staff and or department heads, some perhaps for board/committee members, and some could be asked of the general public. I think that the survey should be appropriate for the intended audience. If necessary, create two (or more) versions. Especially if you intend to quantify and numerically analyze the results.

2. In general the multiple choice questions do a better job of getting a gestalt of attitudes and perceptions. However the last two open-ended questions do seem to be very well crafted to provide some concise but free-form critical feedback and they are a real plus.

3. The first question sets a tone of a Council looking for pats on the back rather than guidance. It wasn't intended that way, but that's how it comes across at the start of the survey. It would be more appropriate in the last section. Again, comment 1 above applies about these questions.

1. Too many questions within each question

2. If you do not know do you leave it blank or how about "I do not know"

1. Need a "don't know" column

*— Employees — Advisory Boards  
Dept. Heads — & Commissions*

## CITY COUNCIL REPORT CARD

Here's a fairly simple - and unscientific instrument - to get some perception on how effectively you think our City Council and staff is. Use it as a thinking tool and a discussion tool just to begin to get an idea of where your strengths and weaknesses are. REMEMBER - its only a guide - not an official rating sheet!

1). ACCOMPLISHMENTS: List a couple of things that our City Council has done that you can point to with pride.

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How would you rate the City Council and staff in terms of what it has achieved for Wilsonville?

2). PUBLIC IMAGE: How does the public regard the City Council? Is it held in high esteem?

Poor			Excellent		
1	2	3	4	5	

3). TEAMWORK: How well do you work together? Is the atmosphere in the group conducive to sharing views frankly, and accepting differences? Do decisions get made - or are things left hanging?

Poor			Excellent		
1	2	3	4	5	

4). POLICY MAKING: Does the City Council spend enough time and energy on the big policy questions facing <sup>our</sup> community, or does it tend to get bogged down in the little details?

Poor			Excellent		
1	2	3	4	5	

5). RELATIONS WITH STAFF: How would you rate the working relationships between the City Council and City staff? Is there a feeling of teamwork, or of pulling in different directions?

Poor			Excellent		
1	2	3	4	5	

6). INFORMATION FLOW (INTERNAL): Does staff provide you with enough information to make decisions on the issues coming up on the agenda? Do you get too much information to digest? Are City Council members generally well-informed?

Poor			Excellent		
1	2	3	4	5	

7). INFORMATION FLOW (EXTERNAL): Does City Council share relevant information with our boards and commissions? Is there an effective means of communication outside formal meetings? Are boards & commissions kept informed of relevant council actions and concerns?

Poor			Excellent		
1	2	3	4	5	

8). ADVISORY COMMITTEES: How effective are our citizen advisory committees? Do you keep in touch with what they are doing? Does the City Council give them clear direction on what they should be doing? Do you REALLY listen to them before making decisions? Are they helping or hurting the decision making process?

Poor			Excellent		
1	2	3	4	5	

9). ATMOSPHERE: How do you feel about the atmosphere at your meetings? Is it stimulating, exciting, fun? Or do you find it heavy, somber, even boring?

Poor			Excellent		
1	2	3	4	5	

- 10). CITIZEN INVOLVEMENT: Are the citizens well informed about what the City Council is doing? Are they kept abreast of the issues?
- 11). COUNCIL INVOLVEMENT: How involved is the City Council with the business community, community organizations or community social programs? Is the City Council high profile?
- 12). CONFIDENCE IN STAFF: Does staff clearly define options? Are they open and direct and do they provide all relevant information for making decisions?
- 13). CONDUCT OF COUNCIL MEETINGS: Do your meetings run smoothly and on time? Are there lots of last minute changes in material that needs to be acted on? Is the agenda conducive to expediting the conduct of the meeting? Do things tend to drag on when they don't need to? Are decisions sometimes made at a late hour when you are too tired to think?
- 14). INTERGOVERNMENTAL RELATIONS (COUNCIL): Is the Wilsonville City Council an active player in the METRO, Regional and State decision making process? Do we have a good handle on the issues that would have an impact on our City, influence our future and affect our ability to control our own destiny? (i.e., METRO Charter, County, Inter-City).
- 15). INTERGOVERNMENTAL RELATIONS (STAFF): Is the Wilsonville City staff an active player in the METRO, Regional and State decision making process? Do they have a good handle on the issues that would have an impact on our City, influence our future and affect our ability to control our own destiny? (i.e., METRO Charter, County, Inter-City).

Poor			Excellent		
1	2	3	4	5	

Poor			Excellent		
1	2	3	4	5	

Poor			Excellent		
1	2	3	4	5	

Poor			Excellent		
1	2	3	4	5	

Poor			Excellent		
1	2	3	4	5	

To compute an average score, add up all the ratings and divide by ~~45~~ 15. Write down the average in this box.

14

ACTION STEP I: If it were possible for you to put into effect one idea or one change to help improve the effectiveness of your City Council, what would you pick as that ONE THING?

ACTION STEP II: If it were possible for you to put into effect one idea or one change to help improve the effectiveness of staff, what would you pick as that ONE THING?



Agenda Item	Discussion & Comments	Action Items (follow up)
8. City Council Report Card	After discussion, Council consensus was for the City Council Report Card to be presented to be completed by Executive Staff, advisory boards and commissions. The format and questions will first be reviewed by the Citizens for Community Involvement prior to it being distributed. Council indicated that they would like this to be done by June 30. It was noted that this would be public information and made available to the public. It was also suggested that a volunteer be utilized to compile the responses to the report card.	

Agenda Item #  
Meeting Date

7  
August 15, 2006

**COUNCIL AGENDA ITEM SUMMARY**  
City of Tigard, Oregon

Issue/Agenda Title Second Quarter Goal Update

Prepared By: Cathy Wheatley *Cathy* Dept Head Okay *EM fwr CP* City Mgr Okay *EM fwr CP*

**ISSUE BEFORE THE COUNCIL AND KEY FACTS**

Progress report on the Council goals for the second quarter of 2006

**STAFF RECOMMENDATION**

Review the update.

**KEY FACTS AND INFORMATION SUMMARY**

Attached are brief summaries of the progress made on the goals developed by Council in January 2006.

**OTHER ALTERNATIVES CONSIDERED**

N/A.

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Goals are identified throughout the document.

**ATTACHMENT LIST**

1- Second Quarter Goal Update Report.

**FISCAL NOTES**

N/A

## 2006 Quarterly Goal Update

### **1. Revise City of Tigard Comprehensive Plan**

- Complete draft by year end

#### **2nd Quarter Update:**

- Cityscape article series continues
- Webpage updated
- Electronic NewsList established; electronic news update sent monthly
- Monthly meetings held with the Planning Commission
- Phase I completed
  - Community Attitudes Survey completed in June; results presented to Council on June 20 and 27
  - Issues and Values summary presented to Council July 18
- Phase II: Inventory/data collection continues
  - Environmental Quality, Natural Resources data to be completed in summer
  - Community; Public Facilities and Services topics begun
  - Internal Team established to coordinate efforts, data between departments

#### **1st Quarter Update:**

A Senior Planner was hired in January to develop and lead the work program. The work program was reviewed by City Council and Planning Commission in February; Planning Commission is the project Steering Committee. The Public Involvement structure was reviewed by the Committee for Citizen Involvement and Planning Commission in February and March.

Project launches (Phase I) in April:

- Cityscape article series starts
- Data collection on current conditions begins in April
- Define Issues and Values
  1. Review of previous surveys and Tigard Beyond Tomorrow
  2. Proposals solicited for Community Attitudes Survey consultant; selection and contract to be finalized; survey occurs April-May.

### **2. Implement Downtown Plan**

- Implement catalyst projects including improvements to Burnham Street and identify and purchase land for a Downtown public gathering place.

#### **2nd Quarter Update:**

##### **Tigard Downtown Implementation Strategy**

- The Strategy addresses implementation of the Downtown Plan, its catalyst projects, and provides a three-year Action Plan and a one-year Work Program. A near-final version of the Downtown Implementation Strategy was completed, and reviewed by the CCAC, Executive Staff, Planning Staff, and City Council.

*Benchmarks:* The Strategy has been endorsed by the CCAC and is recommended for approval by Council (CCDA) on July 11.

### Streetscape Enhancement Program

- Concept designs for Burnham Street, Main Street, and Commercial Street West have been completed. Conceptual design work has been endorsed by the Streetscape Working Group and presented to the City Council. A final report is due August '06.

*Benchmarks:* Contract executed December '05. Contract to be completed: August '06.

### Hall Boulevard Downtown Gateway

- OTAK, Inc. has begun work to identify right of way for a potential gateway at Hall Boulevard/99W.

*Benchmarks:* Specific design of gateway and pedestrian improvements is anticipated for December '06.

### Burnham Street Improvements

- The Community Investment Program Budget has provided for engineering, right-of-way, and construction for Burnham Street over the next two fiscal years.

*Benchmarks:* Engineering design and right-of-way acquisition will occur FY 06-07 and construction FY 07-08.

- The concept design for Burnham Street has been completed by OTAK, Inc. and accepted by the Streetscape Working Group and City Council.

*Benchmarks:* Began – December '05. Completion – April '06. Adoption of a final report is anticipated August '06.

### Fanno Creek Public Area

- Negotiations for purchase of floodplain properties in the area of the proposed public gathering place continue. It is anticipated that the City will be successful in purchasing the Steven's Marine floodplain property and has arranged for property appraisal.

*Benchmarks:* Anticipated completion of negotiations –January 2007

- A Master Plan for Fanno Creek Park has been scheduled for FY 06-07. Funding has been identified and the project has been included in the Community Investment Program budget for the fiscal year.

*Benchmarks:* Completion of a Master Plan for Fanno Creek Park and the proposed Public Area is anticipated for June 30, 2007.

### **1<sup>st</sup> Quarter Update:**

#### Streetscape Enhancement Program

- Solicited RFP and entered into contract with OTAK, Inc. for a Comprehensive Streetscape Design contract.
- Coordinated design and public involvement process for Streetscape Design in the Downtown (ongoing until completion July '06)

*Benchmarks:* Contract executed December '05. Contract to be completed: July '06.

#### Hall Boulevard Downtown Gateway

- Identified opportunity to provide design input with Washington County for the Hall Blvd/99W Intersection.
- Amended Streetscape Contract to have OTAK, Inc. assist the City in identifying design modification including pedestrian improvements, landscaping and a potential Gateway.

*Benchmarks:* Contract executed: March '06. Anticipated completion: November '06.

### Burnham St Improvements

- Development of a Downtown Implementation Strategy to prioritize Catalyst Project, CIP Projects, and actions to undertake redevelopment.  
*Benchmarks:* Began Strategy: January '06. Completed (draft): March 15. Anticipated review by CCAC and City Council: April '06.
- Prioritize work with Streetscape Consultant (OTAK, Inc.) to identify design options and build consensus for Burnham Street.  
*Benchmarks:* Began: December '05. Anticipated completion time: April '06.
- Identify funding sources and design/construction schedule for Burnham Street for FY 06-07 Capital Improvement Project (CIP) Budget.  
*Benchmarks:* Began: December '05. Anticipated completion: May '06.

### Fanno Creek Public Area

- Pursuing acquisition in FY 05-06 of floodplain properties in the area of the proposed public gathering place adjacent to Fanno Creek Park.  
*Benchmarks:* Begin discussions with property owners: February '06 Anticipated completion of negotiations: June '06.
- Prioritize the master planning of Fanno Creek Park and its connection to Downtown for FY 06-07 pending funding availability.  
*Benchmarks:* Proposed for Budget FY '06-07. Anticipated completion: June 30, '07.

- Work to assure passage of the Urban Renewal Plan Ballot measure \*

\*THIS GOAL IS DIRECTED TO CITY COUNCILORS, NOT CITY STAFF. STAFF CANNOT PROMOTE OR OPPOSE BALLOT MEASURES IN THE COURSE OF THEIR WORK. THE FOLLOWING ITEMS ARE EFFORTS THE STAFF HAS MADE TO PROVIDE IMPARTIAL, FACTUAL INFORMATION TO CITIZENS.

### 2nd Quarter Update:

#### Urban Renewal Video, City Articles, City Website Update

- The following projects were completed prior to the Urban Renewal Ballot Measure: production and release of a video about Downtown Tigard and Urban Renewal, articles on the Downtown and Urban Renewal in the *Cityscape* publication, and update of the City's website to include sections on the Downtown. The video was shown on public access television and placed on continuous play in the library.  
*Benchmarks:* Articles placed in *Cityscape* monthly issues leading up to the Ballot Measure, complete of video three- to six-weeks prior to election date, City website updated two- to three-months prior to election date.

### 1st Quarter Update:

- Update the City's website to include section on Downtown, the Tigard Downtown Improvement Plan and Urban Renewal  
*Benchmarks:* Started website update January '06. Anticipated completion: March 22, '06
- Coordinate the production of a video to convey ideas and information about the Tigard Downtown Improvement Plan, its formation and Urban Renewal  
*Benchmarks:* Began video production December '05. Anticipated completion: March 30, '06.

- Write features articles on the Downtown and Urban Renewal in the Cityscape publication.  
*Benchmarks:* Wrote articles for Cityscape publication on Downtown and Urban Renewal which were included in included February, March, April and May issues.
- Identify and make changes to the Tigard Development Code needed to implement the Downtown Plan (e.g., zoning overlays, design standards)

### **2nd Quarter Update:**

- A work program was developed to research, develop, and adopt land use regulations and design guidelines for Downtown.  
*Benchmarks:* Program to go from June 21, 2006 to June 30, 2007.

### **1st Quarter Update:**

- Prepare a work program to begin FY 06-07 to include 1) identifying preferred quality of development, 2) reviewing recommendations of the Tigard Downtown Improvement Plan, 3) devising new or modifying existing land use regulations, and 4) coordinating stakeholder involvement.  
*Benchmarks:* Anticipated time of completion: May 30, '06
- Complete work program tasks 1) identify desired quality of development 2) review recommendations of Tigard Downtown Improvement Plan.  
*Benchmarks:* Anticipated completion: June 30, '06
- Apply for a TGM Code Assistance Grant to provide consultant assistance in accomplishing the work program.  
*Benchmarks:* Anticipated completion of grant proposal: May 30, '06

## **2. Improve 99W Corridor**

- Complete Transportation Growth Management (TGM) Corridor Study

### **2nd Quarter Update**

The study will evaluate various alternatives alleviating traffic congestion on the highway between Durham Road and Interstate 5. The intent of the study is to address current traffic deficiencies, present design alternatives and propose strategies that would provide for effective traffic circulation, connectivity and operational improvements to the highway and its corridor. The study will:

- provide a plan for management of the corridor
- produce a package of projects (both large and small) that can be implemented over a period of years as funding sources are identified and designated for these projects
- identify and evaluate opportunities for land use changes to help achieve project objectives.
- Recommend comprehensive plan and zoning code amendments to allow new market-supported uses that reduce vehicle trip demand
- Suggest site design requirements to promote alternative modes and reduce congestion.

*Current Status:* The OTAK-DKS consultant team with Randy McCourt of DKS as the team project manager has been selected to perform the study. The detailed scope of work with Intergovernmental Agreement (IGA) has been submitted to the Oregon Department of Transportation headquarters in Salem for review and approval. That process has been exceeding slow. To ensure that the IGA can be promptly approved once it is submitted to the City, Council approved the draft IGA at the June 27, 2006 meeting and authorized the City Manager to execute the documents upon submittal to the City. The Citizen Advisory Committee to guide the preparation of the plan is being formed and is expected to be appointed by Council in early October 2006. The

actual work to develop the plan is now expected to begin by late August 2006 and should be completed within 12 months after notice to proceed.

#### **1st Quarter Update:**

The City staff has been working with ODOT to develop a detailed statement of work for the Highway 99W Corridor Improvement and Management Plan. The statement of work has been completed and the selection of the consultant to perform the work will be conducted during the next few weeks. The actual work to develop the plan is expected to begin by June 1, 2006. The duration of the study is up to 13 months after notice to proceed.

- Continue Greenburg Road intersection project

#### **2nd Quarter Update:**

An alternatives analysis was conducted to examine circulation issues and impacts of various alternatives aimed at improving performance at the Greenburg Road/Highway 99W/Main Street intersection. The current level of service on Greenburg Road at Highway 99W is extremely poor especially in the afternoon peak travel hours with vehicles waiting through multiple traffic cycles to clear the intersection. In addition, forecasts for Highway 99W along this area show it is well over capacity in future demand.

*Current Status:* The alternatives analysis to determine an optimum solution for the Main Street/Greenburg Road/Highway 99W intersection was presented to City Council at the April 18, 2006 workshop meeting and further discussed at the May 16, 2006 meeting. Council provided direction for staff to further explore the recommended improvements to the intersection. A concept design with cost estimate was prepared and submitted to the Transportation Financing Strategies Task Force for comment. The Task Force consensus is that the recommended improvements in the study should be constructed to complement the Hall Boulevard/Highway 99W Intersection Improvements. The Task Force will recommend the establishment of a local gas tax at the August 8, 2006 Council meeting and will further recommend that the proposed improvements to the Greenburg Road/Highway 99W/Main Street intersection be designated as the initial project for implementation. Council direction will be requested for the Task Force to work with City staff in the development of an ordinance to establish the local gas tax so that the proposed project can be initiated and constructed as soon as possible for improved traffic flow through the two adjacent intersections.

#### **1st Quarter Update:**

An alternatives analysis was conducted to examine circulation issues and impacts of various alternatives aimed at improving performance at the Greenburg Road/Highway 99W/Main Street intersection. A draft report has been prepared, which will be presented to Council at the April 18, 2006 workshop meeting. The draft report has been provided to the Transportation Financing Strategies Task Force.

- Continue Hall Boulevard intersection project

#### **2nd Quarter Update:**

This project adds capacity to the Hall Boulevard/Highway 99W intersection. It is funded through Washington County's MSTIP 3 (Major Streets Transportation Improvement Program).

*Current Status:* The project design has begun but is progressing at a relatively slow pace as the County staff discusses several major issues with ODOT. Some of these issues include the extent of the access management plan required, design exceptions needed to allow for the expansion without having to reconstruct and widen the entire street, storm drainage runoff disposal issues, and others. The County is seeking to have this project



declared as an interim improvement to reduce the requirements for additional studies and other process-oriented submittals that represent significant cost but do not actually go into physical improvements on the ground. The project is still scheduled to begin construction in 2007, but that could change if the right-of-way acquisition is delayed sufficiently to require significant adjustment of the currently projected schedule.

### **1st Quarter Update:**

The project is entering into the design phase with construction expected to begin in spring 2007. The design work and right-of-way acquisition for the intersection widening will be ongoing during the next 12 to 18 months. Because the intersection is a major portal into the Tigard downtown area, the City will be working closely with the Oregon Department of Transportation (ODOT) and Washington County to ensure that the project complements and supports the Downtown Improvement Plan. OTAK, the Downtown Streetscape Design Consultant for the City, will be preparing conceptual designs to enhance pedestrian movement at this portal. Those design elements will be provided to the County and ODOT for possible incorporation into the design and construction of the intersection project.

### ***Other Important Goals for 2006***

- **Improve Communication and Relationship with Citizens**
  - Implement the new neighborhood program throughout the City
  -

### **2nd Quarter Update:**

In May, staff held open houses in Pilot Areas 4 and 8 to introduce the program concept to citizens and get feedback. Approximately 20 citizens signed up to get more involved in developing the program structure. Outreach events in Pilot Area 1 were scheduled for the summer. In addition, staff will work with the Committee for Citizen Involvement (CCI) and interested citizens to develop the proposed program structure over the summer.

### **1st Quarter Update:**

The Neighborhood Program moved forward as Liz met with the School Board in January, and has met with and scheduled meetings with the Parent-Student Organizations (PSO) in the three pilot areas in March.

- Conduct a city-wide scientific survey/report card on City services

### **2nd Quarter Update:**

- Community Attitudes Survey completed in June; results presented to Council on June 20 and 27.

### **1st Quarter Update:**

The City has chosen Riley Research to prepare and conduct a comprehensive, scientific community survey to get better information about citizen concerns. This first survey, to be conducted the week of May 14, 2006, will help to guide the City's efforts to update its Comprehensive Plan, but will also form a baseline for biennial surveys to help us gauge our progress at meeting citizen needs.

- Connect Council with students in schools
- **Consider Opportunities for Major Greenspaces Purchases**
  - Purchase first-refusal options
  - Explore School District property exchange



### **2nd Quarter Update:**

The City, since the last quarterly goal report, has acquired three parcels of land totaling 8.3 acres. Two sites will be used to house a water reservoir and an active park, and the third site is a 1-acre greenway space.

Currently, eleven properties, totaling 71.9 acres, continue to be evaluated and negotiations with property owners are underway. The properties are broken down into the following categories:

<b>Number of Properties</b>	<b>Proposed Use</b>	<b>Total Acres</b>
4	Active Park Sites	6.5
5	Greenway Sites	25.2
2	Mixed Active Park/Greenway Sites	40.2

The City and the School District continue to work together to identify a mechanism/process which will ensure a significant portion of the Fowler School site remains in public ownership.

### **Quarter 1 Update:**

The Park and Recreation Advisory Board conducted a comprehensive land acquisition process that evaluated properties in and around the Tigard community. The Fowler School property was identified as high priority by the Board. The Advisory Boards goal is to preserve and protect the Fowler School greenway property as well as the developable, upland property.

Currently there are fourteen (14) properties being evaluated (seven (7) greenway properties totaling 36.97 acres, and seven (7) "active" park properties totaling 14.3 acres). Appraisals and Level One Environmental Reports are being ordered, and negotiations continue with owners.

The City and the School District are currently working collaboratively to identify a mechanism(s)/process that will ensure that the entire Fowler School site will remain in public ownership. It is anticipated that eventually, an Intergovernmental Agreement will be created that will enable this to happen.

The School Board is conducting a process aimed at identifying surplus property within the District. Fowler School will be discussed at a meeting to be held in April. City staff will be at that meeting.

Metro is conducting a land acquisition bond measure in November 2006. A portion of the bond measure is dedicated to local share distribution.

- **Clarify City's Position on the Provision of Urban Services to Unincorporated Areas and in the Best Interests of the Citizens of Tigard**

### **2nd Quarter Update:**

- Implemented termination of Urban Services Intergovernmental Agreement prior to effective date of July 20, 2006.

### **1st Quarter Update:**

At the meeting on March 28, 2006, the City Council decided to terminate the Urban Services Intergovernmental Agreement with Washington County whereby the City provided building permits and inspections and development services to the unincorporated portions of Bull Mountain. It is important to note that the termination of the development services intergovernmental agreement does not indicate a change in the City's long stated policy and the underlying Urban Services Agreement with Washington County and other urban services provider to be the ultimate provider of services to the Bull Mountain area.

The City will continue to annex land within that area as property owners request annexation and as allowed by law.

- **Secure Long-Range Water Source(s)**

### **2nd Quarter Update:**

This quarter work progresses on the Lake Oswego /Tigard analysis of the potential expansion of Lake Oswego's water rights and treatment plant modifications. Draft white papers, on several topics covered in the study, will be available soon.

The Tigard City Council also entered into a partnership with the Tualatin Valley Water District to develop the right-of-way and easements for the north/south regional water transmission main. This key pipeline will connect all the major Westside water sources.

The draft environmental impact statement for the Hagg Lake dam raise project is due next quarter. The Council will need to consider whether to continue its participation in the project; the next phase of the project involves a commitment to fund the improvements.

### **1st Quarter Update:**

The City continued participation in the Hagg Lake expansion study. Council will need to decide during the 3rd quarter if we wish to continue into the construction process.

Secured a joint funding agreement with Lake Oswego for addition evaluation of a joint project.

Continued participation in the Willamette River Water coalition to protect and develop our water rights.

Successfully negotiated a shorter term contract with Portland to provide transition to an alternate source(s).

- **Stabilize Financial Picture**
  - Review Financial Strategy Task Force recommendations
  - Take appropriate action to control costs

### **2nd Quarter Update:** *(April - June 2006)*

- Significant Work Elements
  - Accomplishments During the Quarter
    - Worked with Finance Administration on the Budget Committee meetings and final adoption of the FY 2006-07 Budget.
    - Completed RFP process for new coffee bar vendor and TV Van.
    - Scheduled upgrade of the City's financial software to the most recent version (6.05).

- Initiated the conversion to a new procurement card processing software.
- Initiated year-end closing procedures for FY 2005-06.
- Began working with Public Works staff on a cost study of certain activities in the Street Maintenance Program.
- Completed preliminary work with the outside auditing firm for FY 2005-06 audit.
- Finance Director initiated a business process review of the City's purchasing/acquisition process and procedures.
- Issues During the Quarter (*i.e. change in project scope, delays encountered, timelines advanced, problems encountered*):
  - No significant issues.

▪ Performance Measurements (*Update Measures from Budget Document*)

○ Workload Indicators

Measure	1 <sup>st</sup> Quarter		2 <sup>nd</sup> Quarter		3 <sup>rd</sup> Quarter		4 <sup>th</sup> Quarter	
	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
<i>Payroll Checks Processed</i>	1,738	1,773	1,808	2,081	1,532	1,771	1,822	2,085
<i>Accounts Payable Checks</i>	1,326	1,153	1,375	1,291	1,370	1,176	1,429	1,289
<i>Check Requests/Invoices Processed</i>	3,944	3,621	4,125	3,329	3,762	3,097	4,669	3,850
<i>Number of Water Accounts</i>	17,040	17,115	17,060	17,206	17,105	17,328	17,150	17,432
<i>Number of Utility Bills Sent</i>	25,283	26,257	28,524	29,447	27,227	28,334	27,011	28,471
<i>Number of Meters Sold</i>	60	93	35	91	45	124	60	121
<i>UB Online Registered Users</i>	2,700	2,847	2,750	3,059	2,790	3,311	2,830	3,518
<i>UB Online Number of Transactions/Dollars</i>	950/ \$71,250	1,112/ \$111,084	1,000/ \$75,000	1,205 \$142,848	1,100/ \$82,500	1,343/ \$122m902	1,150 /\$86,250	1,360 /\$112,541
<i>Number of Purchasing Card Transactions</i>	550	778	570	771	600	747	630	846
<i>Number of Purchase Orders Processed</i>	144	93	94	67	117	68	95	62
<i>Size of Investment Pool (LGIP and 3<sup>rd</sup> Party)</i>	\$46.5 Million	\$45.1 Million	\$50.0 Million	\$52.0 Million	\$48.5 Million	\$52.6 Million	\$46.0 Million	\$50.6 Million

○ Effectiveness Measures

Measure	1 <sup>st</sup> Quarter		2 <sup>nd</sup> Quarter		3 <sup>rd</sup> Quarter		4 <sup>th</sup> Quarter	
	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
<i>Return on City Investment Pool:</i>								
<i>LGIP</i>	3.0%	<i>Average:</i>	3.0%	<i>Average:</i>	3.0%	<i>Average:</i>	3.0%	4.01%
<i>3<sup>rd</sup> Party</i>	3.5%	3.34%	3.5%	3.53%	3.5%	4.12%	3.5%	3.69%
<i>Financial Reports are Accurate and Prepared and Released on Time – Target of by the 10<sup>th</sup> of Each Month</i>	10 <sup>th</sup> of Each Month	13 <sup>th</sup> to 19 <sup>th</sup>	10 <sup>th</sup> of Each Month	6 <sup>th</sup> to 10 <sup>th</sup>	10 <sup>th</sup> of Each Month	All 10 <sup>th</sup> except April, released on 4/12	10 <sup>th</sup> of Each Month	All 10 <sup>th</sup> except July, released on 7/12
<i>% of Council and Departmental Requests for Information/Analysis are Responded to Within 1 Week (% Released on Time)</i>	100%	100%	100%	100%	100%	100%	100%	100%
<i>Ratio of Current Water Billings 60 Days Past Due to Total Billed</i>	Less Than 1%	2.09%	Less Than 1%	.04%	Less Than 1%	1.57%	Less Than 1%	2.22%
<i>Number of Departments Rating Financial Operations Division Services as Good or Excellent</i>	7	7	7	7	7	7	7	7
<i>Payroll Processing, Distribution, and Reporting is Prepared and Released on Time (% Released on Time)</i>	100%	100%	100%	100%	100%	100%	100%	100%
<i>Receive GFOA Award – Comprehensive Annual Financial Report</i>	Received	Received	N/A	N/A	N/A	N/A	N/A	N/A

### 1<sup>st</sup> Quarter Update:

At the end of last year's budget process, the City Council appointed a task force made up of citizen members of the City's Budget Committee plus representatives of each of the City's other boards and committees. This citizen task force met over an 8 month period to review the City's financial situation. They concluded that the City's financial affairs are well managed and that the City is not providing any unnecessary services. They recommended that the City contract for outside performance audits to review selected city services and to develop recommendations for improvements. The 2006-07 proposed budget includes a request for \$75,000 to pay for up to two performance audits to accomplish these purposes. The task force also recommended that the City continue its past practice of making sure that all fees and charges are kept current and recover the full cost of providing services for which they are charged. The City will continue with this practice by reviewing all fees and charges annually as required by City Code.

Agenda Item #  
Meeting Date

8  
August 15, 2006

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title Revision to Council Groundrules

Prepared By: Cathy Wheatley (Cathy) Dept Head Approval: [Signature] City Mgr Approval: [Signature]

**ISSUE BEFORE THE COUNCIL**

Should the City Council adopt a change to the Council Groundrules regarding the Consent Agenda?

**STAFF RECOMMENDATION**

Adopt the proposed resolution memorializing the change to the City Council Groundrules as discussed by the City Council on July 11, 2006.

**KEY FACTS AND INFORMATION SUMMARY**

- Council discussed the Council Groundrules on July 11, 2006.
- The following wording was proposed for consideration as an addition to the City Council Groundrules: Council members should attempt to give at least 24 hours' notice, by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion.

**OTHER ALTERNATIVES CONSIDERED**

Make additional revisions to the City Council Groundrules.

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

N/A

**ATTACHMENT LIST**

Proposed Resolution

**FISCAL NOTES**

N/A

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CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION AMENDING THE COUNCIL GROUNDRULES (EXHIBIT A) AND  
SUPERSEDING RESOLUTION NO. 04-83

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WHEREAS, the Council periodically reviews Council Groundrules; and

WHEREAS, on July 11, 2006, the City Council discussed its groundrules whereby support was expressed to add a statement to the Groundrules: "Council members should attempt to give at least 24 hours' notice, by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion."

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby revises the Council Groundrules as described in the attached Exhibit A, Page 6, with the following wording shown in the Council Agenda and Packet Information section:

- Council members should attempt to give at least 24 hours' notice, by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion.

SECTION 2: The attached City Council Groundrules supersede the City Council Groundrules adopted by Resolution No. 04-83.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

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**EXHIBIT A**  
**Resolution No. 06\_\_\_\_\_**

**CITY COUNCIL GROUNDRULES AND AGENDA PROCESS**

The following information is intended to assist with preparation for and the conduct of City Council meetings. The City Charter, Article IV, Section 13, contains regulations that govern Council meetings. The Groundrules describe the process followed by Council in scheduling and conducting meetings.

Council/Mayor Roles

- The Mayor, or in the absence of the Mayor, the Council President, shall be the Presiding Officer at all meetings. The Presiding Officer shall conduct all meetings, preserve order, enforce the rules of the Council and determine the order and length of discussion on any matter before the Council, subject to these rules. The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of a Councilor. The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager and all documents shall be attested to by the City Recorder. The Mayor shall appoint the committees provided by the Rules of Council.
- In all other actions, decisions and other matters relating to the conduct of business of the City, the Mayor or President shall have no more or less authority than any other Council member. For the purposes of this written procedure any reference to the Council (unless otherwise specifically noted to the contrary) will include the Mayor, President and Council members.

Conduct of City Meetings

- Council will meet at least once a month. Regularly scheduled meetings shall be on the second, third, and fourth Tuesdays of each month.
- The Council meetings on the second and fourth Tuesdays are "Business" meetings; the Council meetings on the third Tuesday of the month are "Workshop" meetings unless otherwise designated by the City Council.
- Unless specifically noted otherwise, the meetings of Council shall begin at 6:30 p.m. at the established place of meeting. On the second and fourth Tuesdays the meetings will begin with a Study Session following by the Business meeting. On the third Tuesday, the Workshop meeting will begin at 6:30 p.m.

- Roll Call/Voting Order: The roll shall be called in alphabetical order by last name. At each succeeding meeting at which a roll call vote is taken, the council person who voted last during the previous meeting, shall vote first and the Council person who voted first during the preceding meeting shall vote second and so on in a rotating fashion. It is the intent that the voting order remain fixed for each meeting and that a different Council person shall vote last during each separate meeting for the duration of the meeting.
  - Charter Section 19 provides that 'the concurrence of a majority of the members of the Council present and voting, when a quorum of the Council is present, at a Council meeting shall be necessary to decide any question before the Council.' A Council member who abstains or passes shall be considered present for determining whether a quorum exists, but shall not be counted as voting. Therefore, abstentions and 'passes' shall not be counted in the total vote and only votes in favor of or against a measure shall be counted in determining whether a measure receives a majority.
- The Chair, or other members if the Chair fails to remember, shall call for a Point of Order at or around 9:30 p.m. to review remaining items on the agenda with the Council. The Council may reset or reschedule those items, which it feels may not be reached prior to the regular time of adjournment.
- The Council's goal is to adjourn prior to 10 p. m. unless extended by majority consent of all Council members then present. If not continued by majority consent, then the meeting shall be adjourned to either the next scheduled meeting or the meeting shall be continued to a special meeting on another date.
- Definitions - Meeting Types, Study Sessions and Executive Sessions:
  - > BUSINESS MEETINGS: Business meetings are regular meetings where Council may deliberate toward a final decision on an agenda item including consideration of ordinances, resolutions & conducting public hearings. Business meetings are open to the public. The regularly scheduled business meetings are televised.

Business meetings are generally scheduled to begin at 7:30 p.m. with a study session preceding the Business Meeting at 6:30 p.m. Study Sessions are a workshop-type of meeting (see definition below) which also provide an opportunity for the Council to review the business



meeting agenda and to ask questions for clarification on issues or on process. Study Sessions are open to the public.

All Council meetings are open to the public with the exception of Executive Sessions. Executive Sessions can be called under certain circumstances and topics are limited to those defined by ORS 192.660.

- The "Citizen Communication" portion of the agenda is a regular feature on the Council Business meetings. This item will be placed near the beginning of the Council Agenda to give citizens a chance to introduce a topic to the City Council. Citizen Communications are limited to two minutes in length and must be directed to topics that are not on the Council Agenda for that meeting.
- At the conclusion of the Citizen Communication period, either the Mayor, a Council member or staff member will comment what, if any, follow-up action will be taken to respond to each issue. At the beginning of Citizen Communication at the next business meeting, staff will update the Council and community on the review of the issue(s), the action taken to address the issue, and a statement of what additional action is planned. Council may decide to refer an issue to staff and/or schedule the topic for a later Council meeting.

> **WORKSHOP MEETING:** Workshop meetings are regular meetings where Council reviews and discusses agenda topics with no intent of deliberating toward a final decision during the meeting. Workshop meetings are not currently scheduled to be televised but are open to the public.

Workshop agenda items are generally topics which Council is receiving preliminary information on and providing direction for further staff analysis and information gathering for a later business meeting. Workshop topics may also include discussions with standing boards and committees, as well as other governmental units.

Appropriate topics for Workshop meetings include:

- ~ Introduce a Topic: Staff will bring up new items to determine whether Council wants to entertain further discussion and whether to schedule the topic as an item on a future agenda.
- ~ Educational Meetings: Council will review research information presented by staff, consultants, or task forces - usually as a process check; i.e., is the issue on the right "track"?

- ~ Meet with individuals from City boards and committees or other jurisdictions to discuss items of common interest (examples: other Councils, the School District, and other officials).
  - ~ Administrative Updates: Items such as calendar information, scheduling preferences, process checks.
- > **STUDY SESSIONS:** Study Sessions precede or follow a Business Meeting or Workshop Meeting. As stated above, they are conducted in a Workshop-type setting to provide an opportunity for Council to review the Business Meeting Agenda and to ask questions for clarification on issues or on process. Information is also shared on items that are time sensitive. During Study Sessions, any Council member may call for a Point of Order whenever he or she wishes to stop the “discussion” because he or she feels that it is more appropriate for the City Council to discuss the matter during the Council meeting. If a Point of Order is raised, the City Council will discuss the Point of Order and determine whether the “discussion” should continue on or be held during the Council meeting. The decision on whether to continue the “discussion” or not shall be determined by the majority consensus of the Council members present. If Council discusses a Council Agenda Topic in a Study Session prior to that Council meeting, either the Presiding Officer or City Manager will briefly state at the introduction of the Agenda Topic, the fact that Council discussed the topic in the Study Session and mention the key points of the discussion.
- > **EXECUTIVE SESSIONS:** Meetings conducted by the Council, City Manager, and appropriate staff for deliberation on certain matters in a setting closed to the public. Executive Sessions may be held during a regular, special or emergency meeting after the Presiding Officer has identified the ORS authorization for holding the Executive Session. Among the permitted topics are employment of a public officer, deliberations with the persons designated by the Council to carry on labor negotiations, deliberations with persons designated to negotiate real property transactions, and to consult with legal counsel regarding current litigation or litigation likely to be filed.

Policy Regarding Interrelationships Between the City Council and Its Appointed Commissions, Boards or Committees (hereinafter referred to as “Boards”)

- The Council shall follow the Procedure for Recruitment and Appointments to Boards and Committees established in Resolution No. 95-60.

- Appointments to any committees not covered by Resolution No. 95-60 shall be made following the procedure provided within the Resolution or Ordinance, which created the committee.
- Appointments to intergovernmental committees shall be made by Council Action.
- Appointments of Council members to internal City committees as the Council Liaison shall be made by the City Council.
- It is Council policy to make known to the public, by notice in the Cityscape, of the occurrence of vacancies on City boards for the purpose of informing persons who may be interested in appointment.
- Council will entertain regular representation by persons outside the City on those boards, which provide for such non-city membership.
- The Mayor and one Council member will serve on the Mayor's Appointment Advisory Committee for the purpose of interviewing and recommending potential board members. Council members will serve on this Committee with the Mayor on a rotated basis for a term of six months. Terms shall begin January 1 and July 1.

#### Communications Between City Councilors, City Manager and Staff

- Councilors are encouraged to maintain open communications with the City Manager, both as a group and individually in one-on-one sessions.
- Councilors are encouraged to direct inquiries through the City Manager, giving as much information as possible to ensure a thorough response.
- In the absence of the City Manager, Councilors are encouraged to contact the Assistant to the City Manager. In the absence of both the City Manager and the Assistant to the City Manager, Councilors are encouraged to contact the Department Head, realizing that the Department Head will discuss any such inquiries with the City Manager.
- Contacts below the Department Head are discouraged due to the possible disruption of work, confusion on priorities, and limited scope of response.

### Council Agendas and Packet Information

- The City Manager will schedule agenda items while attempting to maintain balanced agendas to allow for discussion of topics while meeting the established 10 p.m. adjournment time.
- The City Manager will schedule items allowing time for staff research and the agenda cycle deadlines.
- The agenda cycle calls for submittal of items 10 days in advance of a Council meeting. Add-ons are to be minimized, as well as handouts distributed at the start of meetings, except Executive Sessions.
- Councilors and staff will prepare in advance of public meetings and issues should be presented fully in packets.
- Council is supportive of the role staff should play in offering professional recommendations. Staff is aware of Council's right to make final decisions after considering the staff recommendation, public input, the record and Council deliberation on the matter.
- Council members should attempt to give at least 24 hours' notice, by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion.

### Communications Among Councilors

- Councilors are encouraged to suggest agenda topics at the bench or to contact the City Manager about scheduling an item into the Tentative Agenda.
- Add-on Agenda items should be brought up at the start of the meeting and generally considered only if continuing to a later agenda is not appropriate.
- Requests for legislative action of Council may be initiated by an individual Council member during a Council meeting. The City Manager will respond to the request consistent with resources and priorities, or refer the question of scheduling to Council as a whole.

### Communications with Community/General Public

- Councilors and the General Public are reminded of the Agenda cycle and cut-off dates. Administrative staff is available to explain how public issues are handled and how citizen input may be accomplished.
- “Official” communication should come through City Hall and be provided by the City Manager. Direct submittal or inquiries to the Council or individual Councilors should be referred to the City Manager or Councilors may ask the City Manager to look into an issue.
- Official “press releases” are encouraged, both to assure accurate reporting and to advise Council and Staff of the official position communicated to the press. Press releases are through the City Manager’s Office.

### General

- Councilors are always Councilors in the eyes of the Administration, never simply private citizens. Thus, Councilors are always treated by Administration as Council members.
- Information that “affects” the Council should go to Council. The City Manager is to decide on “gray areas,” but too much information is preferable to too little.
- Budget cuts or increases are policy decisions. Budgets will not be cut “piece meal” or “across the board,” but rather should be made in service or program areas, giving staff full opportunity to provide data clearly defining the anticipated impact of the action.
- It is the policy of the Council that if Councilors are contacted regarding labor relations during labor negotiations or conflict resolution proceedings, then Councilors have no comment.
- Councilors and the City Manager agree to report and discuss any contact, which might affect labor relations with the entire Council in Executive Session.
- The Council Groundrules will be submitted for review by Council each year either in the July or August Workshop Meeting. The Groundrules can be reviewed and revised at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.

Agenda Item No. 9.1  
For Agenda of 8.15.06



### *Tigard City Council Meeting Minutes*

Date: July 18, 2006  
Time: 6:30 p.m.  
Place: Tigard City Hall, 13125 SW Hall Boulevard  
Tigard, Oregon  
Attending: Mayor Craig Dirksen Presiding  
Councilor Sally Harding  
Councilor Sydney Sherwood  
Councilor Nick Wilson  
Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	Mayor Dirksen called the Study Session to order at 6:30 p.m.  Staff Present: City Manager Prosser, Finance Director Sesnon, Engineer Duenas, Counsel Chuck Corrigan, Community Development Director Coffee, Risk Manager Mills, Assistant Public Works Director Rager, and Right-of-Way Administrator Werner  Press: Luciana Lopez from the Oregonian and Barbara Sherman from the Tigard Times  City Manager Prosser noted that two items were being brought back from the Budget Committee for Council consideration: 1) Senior Center Remodel and 2) Remodel and Relocate the Public Works Department to the Water Building	
1. Senior Center Remodel and Additions	City Manager Prosser said the Budget Committee direction was to leave the money in the budget but not spend anything on additional architectural work until the status of the Community Development Block Grant is known.  Assistant Public Works Director Rager said there would be a Conditional Use Permit required to do the building additions discussed by the committee and Loaves and Fishes. If the CUP process is not	Risk Manager Mills will communicate to the Senior Center Site Committee the Council's reasons for wanting to reconsider a remodel at this time. Councilor Sherwood offered to serve on a committee to help look at options before we go ahead with a project.

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>started until January (when the CDBG's are awarded) the City will be on a tight timeline to get it done. He also noted a mistake in the memorandum attached to the Agenda Item Summary which says the City needs to hire an architect in January. He said it should be corrected to say the City needs to hire an architect now to prepare a CUP application and preliminary drawings.</p> <p>Councilor Sherwood said she wanted to put this off for one year and do an audit to see if meals can be prepared at the Senior Center. She felt the best way to attract users is to cook meals on site rather than just warm day-old meals from Loaves and Fishes. She noted that the Senior Center attendance is very low given the City's population. She toured five different facilities that cook meals on site and said they have much better attendance and offer more flexibility to rental users. She said remodeling just to have a warming kitchen would be waste of money since we may want to remodel it again. She has had several people approach her asking that the City look at cooking meals at the Senior Center.</p> <p>Councilor Sherwood said she also didn't feel the City would get the full \$475,000 CDBG request amount as there is only \$700,000 available for the entire county. Councilor Harding suggested looking at other grant funding sources.</p> <p>Mayor Dirksen asked if there were items that must be done immediately, such as seismic upgrades, or if the building was failing or substandard. Risk Manager Mills said electrical upgrades are part of the proposed remodel package but are not required outside of this remodel plan. She said seismic improvements are required and were going to be included as part of this remodel. They must be completed whether we do this project or not but could be combined with a future remodel project.</p> <p>Mayor Dirksen recommended not spending the money if none of this needs to be done now.</p>	<p>Councilor Woodruff suggested taking these ideas to the Site Committee and asking them to weigh in. Risk Manager Mills will do this and bring their input back to the Council for further discussion.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
2. Discuss Reinstating Funds to Remodel and Relocate the Public Works Department to the Water Building	<p>Assistant Public Works Director Rager discussed the needs of the Public Works staff. He noted that the Executive Summary Councilors have in their packet is a draft. He handed out a revised version to replace it.</p> <p>Mr. Rager said the location of Public Works staff is operationally less than ideal. Some are in the two-story office building with a break room and showers in the lower level. Some work in an old house known as the Public Works Annex which is located on the corner of Ash and Burnham Streets.</p> <p>He said the Water Building is currently underutilized and the original idea was to move all of Public Works staff there, but it has been determined there is not enough room. An interim solution is to house the public works office staff in the Water Building.</p> <p>Vacating the Public Works Annex building is the first step in the Ash/Burnham intersection project and is critical to that intersection.</p> <p>Vacating the two-story public works building would make it available for other departments to use as storage, which would save the city \$25,000 annually in rented space. High density housing is ultimately planned for the operations yard site.</p> <p>City Manager Prosser noted that this project was taken out of the budget by the Budget Committee and there was discussion on the need for the project. There is no General Fund money; it was all placed in the Water, Sanitary Sewer and Storm Sewer Contingency Funds. He said that if this project is approved by Council, staff will come back with a budget amendment to transfer the money.</p> <p>Councilor Woodruff asked if there was a perceptual issue as we talk about reducing services yet are considering spending money on buildings. He said careful communication to the public was needed, noting that the money proposed for this project cannot be used for other things. He said that the Budget Committee minutes say it would be held off</p>	<p>Staff will prepare a budget amendment for Council consideration to proceed with a remodel of the Water Building.</p>



Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>in the contingency until further exploration.</p> <p>Councilor Harding said we need to be prudent with how we manage our budget if we want to be able to move forward with other kinds of things. She also noted that she attended the Washington County Coordinating Committee meeting yesterday where a study was presented by a firm that said the biggest issue citizens had county-wide was with the perception of accountability and money being spent inefficiently. She wanted Tigard to be a leader in credibility and accountability. She said until things are completed on the Task Force list, this project should be on the shelf.</p> <p>Councilor Sherwood asked if staff could move into the Water Building without a huge remodel. Mr. Rager said the HVAC system is an aging system and did not work properly for the staff previously in the building. The partitions proposed to be used are surplus from the Army Corps of Engineers so there are savings there. The computer and phone cabling needs to be upgraded according to IT staff. Interior wall work needs to be done to house more people.</p> <p>Mayor Dirksen asked if Mr. Rager was saying that the building needs to have some existing systems replaced whether more staff moves in or not. Mr. Rager said the HVAC system work would need to be done regardless and noted that it is a large part of the estimate.</p> <p>Councilor Wilson commented that the Annex building is actually an old house that is in poor condition and the land it's on is valuable. He said there's a point at which you pinch pennies and end up wasting dollars.</p> <p>City Manager Prosser said looking long term we don't want a Public Works yard in the center of our downtown.</p> <p>Mr. Rager said there is also the public perception to consider - the Water Building is underutilized, and the inefficiency in having Public Works staff spread among three buildings.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>City Manager Prosser said we will ultimately need more space for city staff overall and might consider a downtown office building in the future or look at a public safety campus near TVF&amp;R. He said this Water Building remodel will help now with an immediate need. Councilor Harding asked if the entire remodel was really necessary and why we should do it in pieces as interim steps.</p> <p>Mayor Dirksen said he felt it is not money wasted down the road when all the little pieces move us in the right direction. The goal is to use the Water Building to its best ability and allow the City to vacate those other properties so those pieces of property can be put to their best use eventually. He said that before we talk about any new facilities we need to make sure we are using the ones that we've got efficiently. The Water Building is not being used efficiently. He said a lot of this money is going to repair systems that need to be replaced before the building can be used.</p> <p>Councilor Woodruff said he would feel comfortable explaining to the Budget Committee the decision to move ahead with the remodel. He noted the expenditure would not be from the General Fund and the remodel will add to our efficiency.</p> <p>City Manager Prosser said he will ask staff to get a budget amendment prepared to take to the Council.</p>	
<p>3. Discuss Revisions to the Tigard Municipal Code Incorporating a Right-of-Way Usage Fee</p>	<p>Right-of-Way Administrator Werner said staff previously discussed the right-of-way usage fee and other amendments to the Tigard Municipal Code with the Council. Staff has worked with the City Attorney and sent draft proposals for review by utilities. Staff has two issues they are seeking Council guidance on before they present final revisions in a few weeks.</p> <p>The first issue is eliminating the franchise requirement. The current Code anticipated that every utility would have a franchise agreement. She said this is still most desirable but they're trying to write a Code that will apply even when there is no</p>	<p>Staff will return with an ordinance for Council consideration on Right-of-Way usage fees.</p> <p>Council did not agree to any franchise fee percentages.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>agreement, as several telephone companies have refused to sign franchise agreements. They're proposing three options for utilities that want to have utilities in our rights of way. 1) No franchise – they would be subject to the Code provisions and would have a right-of-way usage fee which would operate just like a franchise fee, 2) Standard franchise – basically the Municipal Code provisions in a contract form with no negotiations, and 3) A negotiated contract that clarifies terms that could be different from the Code. Utility company feedback suggested we need to make it clear that there can be a variance between language in an agreement and the Code.</p> <p>City Manager Prosser said that any franchise negotiated would come before the Council for approval. It will ultimately be Council's decision whether a variance is acceptable. It will also help with some issues, in particular with telecommunication companies trying to use the law to claim that they can't be forced into accepting certain terms in order to use the right of way. Ms. Werner said that the inflexibility of our current Code is potentially litigious. She said franchise agreements would be encouraged but it helps to have a system offering a choice.</p> <p>Councilor Wilson asked if other cities have a menu like this. Ms. Werner said other cities are in the same position as Tigard. Many have a separate code specifically for telecoms and then they have a franchise agreement which may or may not have the same terms as their code.</p> <p>In response to a question from Councilor Wilson, Ms. Werner said companies often want to negotiate relocation provisions, stipulating who pays when the utility has to relocate something. She also mentioned penalty payments if an audit shows a utility underpaid the City.</p> <p>City Manager Prosser noted that the existing Telecommunications Code states that if a company accepts our standard agreement, Council shall approve it by resolution and it is effective</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>immediately. If they want more extensive changes – it can be done – but it comes to Council by ordinance, there can be an emergency clause and the process is more involved. Right-of-Way Administrator Werner said the suggested changes take what we have in the Telecom Code and apply it to all utilities. But there would also be a third option; that is, if you have nothing, the fallback is the Code. Mayor Dirksen said that we have the opportunity in the ordinance to negotiate a franchise, which gives us a chance to approach a franchisee before the renewal of their franchise and negotiate something above and beyond their normal franchise.</p> <p>The rate for the Right-of Way fee was also discussed. Ms. Werner said they considered setting it the same as the franchise fee so it is revenue neutral. You would only pay to the extent that you don't pay a franchise fee. Effectively no one would pay a right-of-way usage fee unless they don't have a franchise.</p> <p>She said that currently, PGE's franchise rate is 3.5% and Northwest Natural's is 5%. NW Natural counsel told staff that gas and electric utilities are competitors and PGE's lower rate gives them an advantage. She thought it was best to inform Council so they know this issue was raised and may come up again in the future. She said NW Natural was told that in a freely negotiated agreement they chose to go to 5%; PGE did not. She said the upside of going to 5% for the electric utility is additional revenue, which would be raised by \$246,000, and everyone would be on a "level playing field." Unfortunately, PGE would probably just pass this along to their customers and would be shown on their bill as some sort of municipal fee.</p> <p>Mayor Dirksen stressed that the Council's position on this was to do these changes one step at a time and make it revenue neutral. He said that at some point in the future, once we see how this goes, we may look at some kind of a balance or a change.</p> <p>Ms. Werner clarified that she just brought this up so Council would be aware, when they are considering</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
Administrative Items	<p>the final amendments, NW Natural may have a representative there. She did not want Council to be blindsided. Mayor Dirksen said, "Our answer to them is that we may reconsider that at a future date but are choosing not to at this date. That would be my recommendation."</p> <p>In response to some questions from Councilor Harding, Mayor Dirksen said, "We are not changing any of those percentages." He reiterated that Council had previously decided that if a change was made, it would be revenue neutral.</p> <p>&gt;Appointing a new member to the City Center Advisory Commission was discussed. Mayor Dirksen said he spoke with the two alternates to see if either of them was interested in being on the Commission. He recommended a Resolution appointing Mr. Alexander Craghead. City Manager Prosser said there would be a resolution on this added as a non-agenda item at tonight's meeting.</p> <p>&gt; It was agreed that Councilors wanting to carpool to the Washington County Commissioners meeting will meet at City Hall at 5:30 p.m. on July 25.</p> <p>&gt; Quello House Correspondence – City Manager Prosser said Community Development Director Coffee put together a memo that was in the Council's packet. A discussion on this will be rescheduled for the August 15 Workshop Meeting.</p> <p>&gt; City Manager Prosser will let the TVF&amp;R Board know that the Council did not want to attend a meeting separate from the luncheon.</p> <p>&gt;City Manager Prosser asked for opinions on draft revisions to the agenda first page indicating how people can sign up to speak at Council meetings. Councilor Woodruff felt the changes did not go far enough to make it clear that not all items are open for public testimony. City Recorder Wheatley will work on the form. Councilor Harding mentioned that the problem at the July 11<sup>th</sup> Council meeting was that a map was not distributed until 9:30 p.m.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>May 30<sup>th</sup> Fifth Tuesday Update: There were some potential Code violations on not only the properties being complained about but also on property belonging to those that made the complaints. Community Development Director Coffee said they will be followed up on equally.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to Order at 7:30 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, Wilson, and Woodruff.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications &amp; Liaison Reports</p> <p>Councilor Harding mentioned she attended a Washington County Coordinating Committee meeting and will bring a report and her condensed notes regarding a Washington County traffic survey to the next Council meeting.</p> <p>City Manager Prosser announced that Tom Coffee is no longer the Interim Community Development Director but has accepted the position of Community Development Director.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items</p> <p>Mayor Dirksen asked if anyone objected to hearing Non-Agenda Item No. 9 between Agenda Items 4 and 5. There were no objections.</p>	
2. Citizen Communication	<p>Gretchen Buehner, 13249 SW 136<sup>th</sup> Place, Tigard, 97223. Mr. Buehner asked that Council consider how to provide access to businesses during downtown road construction. She said, "I'm very concerned about making sure that we don't do damage to our retail businesses...while improvements are being made on the street." She mentioned that over 30% of downtown Portland businesses along that route failed during construction of their transit mall. She is also</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>concerned about utilities and said there should be some effort to have utilities get their portion of the work done in a timely and coordinated manner. She referenced the recent gas company work that necessitated tearing up Walnut Street after the road had been finished, adding months to the project and also reducing the life of the road. She asked if there was anything Council could do in terms of proposing interim ordinances as we structure these demonstration projects so early in the process, to make sure that utility work is done in a timely manner and within their timeframe.</p> <p>Councilor Sherwood said we should look at having things done similar to when Gaarde Street was being worked on, where areas were done at certain times so the whole street wasn't blocked.</p> <p>Ms. Buehner said, "The problem is that Gaarde is basically a residential street, as was Walnut. We're dealing with a very busy business street. Those businesses are largely dependent upon walk-in traffic and I don't want to see them fail." Councilor Sherwood said since they could figure out a way to keep Gaarde open they could probably find a way to keep these streets open. Ms. Buehner said she just didn't want a utility to cause a major problem and potentially cost a business their existence.</p> <p>Councilor Wilson said, "Those are really good points and we just passed our street opening moratorium so utilities will have to coordinate that work. I think it would be a good idea to have, in addition to liquidated damages if they go beyond the scope, incentives for finishing early." He said it would probably be a good idea, as soon as we know what the projects will look like, to start discussions with property owners and suggested, "using a little bit of urban renewal money, to assist businesses with advertising while construction is ongoing."</p> <p>Ms. Buehner also mentioned that there can be problems within large utilities in that the person you discuss plans with does not communicate very well with the entity in the company who is actually doing the construction.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Mayor Dirksen said the City needs to be very sensitive when letting contracts and have language in them regarding local access. He said, "This street in particular is going to have a major impact. We have a fire station on this street and I'm pretty sure they're going to need to have access during construction so we definitely need to figure out a way to do that."</p> <p>Ralph Hughes, new Chamber of Commerce President spoke. He gave some personal background and noted he is an alternate on the City Center Advisory Commission. He said the Chamber's concept this year is "Buy Tigard First – use the Tigard Chamber of Commerce Directory to find people you want to do business with as use it as exclusively as you can." He recommends any business in Tigard become a Chamber member and get their name in the Directory as a way to get their name out to customers. He said he'd like the Chamber to become more politically active this year at the local, county and state level on issues affecting Tigard businesses. He mentioned the upcoming City elections and said he'd like to see interaction between the candidates and the Chamber members, so they can select who they want to vote for. He mentioned a tourism tax that was recently increased and said there will be discussions on promoting tourism in this area and said he is open for input. Councilor Sherwood noted that she received a notice that the Leadership Series is starting up soon. Mr. Hughes said the City gave a \$5,000 grant towards this series, which is a cooperative effort between the City and Chamber. He said anyone interested in attending should contact the Chamber at their TigardChamber.org website.</p> <p>Mayor Dirksen asked the audience if there was anyone who didn't get a chance to sign up to speak for Citizen Communication but would like to speak on an issue that isn't on the agenda tonight. There was none.</p>	



Agenda Item	Discussion & Comments	Action Items (follow up)										
(Deputy City Recorder's Note: There is no Agenda Item 3.)												
4. Consent Agenda	<p>Mayor Dirksen gave a brief summary of the Consent Agenda Items:</p> <p>4.1 – Approve Workers' Compensation Volunteer Coverage through City County Insurance Services</p> <p>4.2 – Amend Insurance Agent of Record Contract extending from Three to Five-Year Contract</p> <p>4.3 – Local Contract Review Board: Reject bids for construction of Hall Blvd. /Wall Street Intersection Phase II and Library Parking Lot Expansion. City Manager Prosser mentioned that the City is rejecting the bid because we only got one and it was more than double the engineer's estimate.</p> <p>Mayor Dirksen asked if any items needed to be removed from the consent agenda.</p> <p>Councilor Harding commented that Council should revisit the RFP process as this wasn't the first time in the last few years only one bid was received. She expressed concerns about the publications chosen for the City's RFP advertisements. She said that the media we choose to advertise in is one of the lowest read in the Portland area. Mayor Dirksen agreed that the City staff should make sure the word gets out.</p>	<p>Motion by Councilor Harding, seconded by Councilor Woodruff to approve the Consent Agenda.</p> <p>The motion passed with a unanimous vote of Council present:</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
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Councilor Wilson	Yes											
Councilor Woodruff	Yes											
9. Non-Agenda Item (Note: this item was heard out of order.)	<p>The Mayor announced that a Non-Agenda Item will be considered at this point - Appoint a City Center Advisory Committee Alternate to a Voting Position. He said there were two alternates, Alexander Craghead and Ralph Hughes. Alexander Craghead agreed to take this position.</p> <p><i>Resolution No. 06-44 – A Resolution Appointing a Member to the City Center Advisory Commission</i></p>	<p>Motion by Councilor Sherwood, seconded by Councilor Harding to approve Resolution No. 06-44.</p> <p>The motion passed with a unanimous vote of Council present:</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr><tr><td>Councilor Woodruff</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes	Councilor Woodruff	Yes
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Councilor Woodruff	Yes											

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>5. Initiate Planned Development Revisions Reviewed by the Planning Commission</p>	<p>Associate Planner Sean Farrelly gave the staff report. He said that on April 18, 2006 the Planned Development Code Review Committee came before the Council with their preliminary recommendations. At that time Council directed them to revisit and refine their proposed changes and come back to the Council in 90 days. The Committee met two additional times to incorporate feedback from Council, the City Attorney, Planning Commission and staff.</p> <p>He said the current revision was presented at the Planning Commission work session on June 19, 2006. One major change is that applying the overlay zone is not a separate section in the approval process. It will be done at the same time as approval of the detailed development plan.</p> <p>He also said the site analysis requirement has been deleted. The overall process is more streamlined than in previous recommendations. Mr. Farrelly said they are asking for direction from the Council on whether to proceed with preparation of an ordinance. He mentioned that some committee members were in the audience and staff was here as well to answer any questions.</p> <p>Councilor Woodruff asked if it represented a consensus of the group. Mr. Farrelly said it was a consensus of all the currently active members. Councilor Woodruff said they put together a diverse group and it was meaningful to him that everyone came together on this.</p> <p>Councilor Wilson said, "I think stream lining's a good move. Simple is good; it will be simple and effective."</p> <p>Mayor Dirksen stated that he thought there were some very innovative concepts and it would be interesting to see how they fare in public hearings. He wants to see what kind of concerns people have. He asked why the site analysis requirement was removed. Planning Manager Bewersdorff said they looked at the site analysis requirement and felt it just</p>	<p>After discussion Mayor Dirksen directed staff to prepare a draft ordinance and begin the public hearings process.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>created more bureaucracy. He said there would be contour plans as well as other plans and that a site analysis wouldn't bring much to the process. Mayor Dirksen was concerned that citizens viewing this change in the ordinance might think a step is being taken out that would make sure the sensitive nature of a site is adequately addressed.</p> <p>Councilor Wilson noted that the site analysis requirement was not taken out of the existing code. It was added to and then taken out of the proposed new code. He said a site analysis is often done internally by the designer or architect and that staff acted wisely to remove this unnecessary step.</p> <p>Mayor Dirksen asked about the recommendation from the Planning Commission. He asked if they concur with the changes to the ordinance. He recognized a Planning Commission member in the audience and asked if she would be willing to comment on behalf of the other members.</p> <p>Planning Commission member Gretchen Buehner said, "I think that there was a really good general consensus and support for the recommendations that have been made." She said their current president is a planner who raised questions that helped them clean up and streamline the document. When the document came back to the Planning Commission all their questions had been addressed.</p> <p>Mayor Dirksen asked if there was a date when the public hearing would go before the Planning Commission. Mr. Bewersdorff said there was not a date set yet.</p> <p>Councilor Woodruff asked what the smallest size parcel was that could have a planned development on it. Mr. Farrelly said there was no limit.</p> <p>Councilor Harding thanked everyone on the committee for their work on this long process. She said it was sad that there is less land available now to consider than when they started this process a few years ago.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Councilor Sherwood thanked the Commission for sticking with this project and for their work over the past two years.</p>	
<p>6. Comprehensive Plan Update: Citizen Issues and Values Summary</p>	<p>Community Development Director Coffee gave an introduction to this agenda item. He introduced Senior Planner St. Amand who presented information on the latest survey as well as other recent surveys, bringing that information all together. He noted that she also prepared some information and follow-up that Council requested regarding how other cities compare and how to interpret this information and go deeper into some questions.</p> <p>Senior Planner St. Amand reported that at the last Council meeting, when Community Attitude Survey results were presented, Council requested information regarding how Tigard measured up compared to other jurisdictions. She said they put together data and focused on four questions. Her PowerPoint presentation is on file in the City Recorder's Office. She said that when people are asked what they value most about their city, the number one answer indicates how many define their city. Tigard's top answers were location and atmosphere.</p> <p>She said the "Priority Future Issues" question shows a lot of common themes across the region. Together we are dealing with similar issues. For Tigard, our priority future issue is "traffic and congestion" which came up frequently. In addition, growth, schools and streets were mentioned. Senior Planner St. Amand said under the "Top Core City Services," the Library is first with Tigard residents. West Linn and Tigard are the only two cities listing libraries as the top service. Other areas that have their own fire protection services list that as number one. She said it is clear to people that TVF&amp;R provides our fire service, not the City.</p> <p>One other question about "Key Issues" showed that in Tigard, public safety came up, showing that in</p>	<p>Senior Planner St. Amand advised that on the August 8, 2006 Council Meeting consent agenda there will be a Resolution officially designating the Planning Commission as the Comprehensive Plan Update Steering Committee.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>general, people are concerned about health and welfare of their families and property.</p> <p>She said the best part of the survey was the "Overall Quality of Life" rating. Not all jurisdictions asked this, but of those that did, Lake Oswego was at the top with 8.6; Tigard came close at 7.8. Hillsboro had 7.0 and Gresham had 5.6. She said this provides a sense of where we have commonality with other jurisdictions and where we stand out as a city.</p> <p>Councilor Wilson asked if these were all scientific polls by these cities. Mr. Coffee said that they were.</p> <p>Councilor Harding mentioned that in a survey the County did, the fire department came up as the top rated "performer."</p> <p>Senior Planner St. Amand pointed out that there was a little different result for the question, "What are your Future Priority Issues?" than what staff originally sent out. She said the response initially noted in the report was traffic congestion as number one, and population and overcrowding as number four. But as they started working on the Issues and Values Summary, staff took a deeper look at the data and thought it did not make sense. In every other survey done in the last four years, growth was number two. They asked the consultants to reexamine the verbatim results to make sure they weren't micro-grouping the answers and obscuring what the issues were. Revised percentages place traffic congestion as first and growth as second, followed by street and road improvement and maintenance, and schools and school funding.</p> <p>Councilor Harding noted that from the Washington County survey, transportation was listed first, then schools, land use, housing, and jobs.</p> <p>Senior Planner St. Amand discussed the Issues and Values Summary which is a synthesis of survey results from 2002-2006. A copy of her presentation is on file in the City Recorder's Office.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>She said for community areas downtown, which is a major focus area for the City, issues that came up in the 2004 and 2005 surveys were appearance and transportation, particularly pedestrian access. Regarding values, downtown is very important to residents and is used regularly. In two surveys residents responded that they use the downtown area at least once a week. She said it was 60% of respondents who said that, which is a very high number.</p> <p>Senior Planner St. Amand said the reasons given why people value downtown were convenience, character, and the services that are available. They do feel that downtown is a vital and unique part of Tigard, important not only for the community, but also for the local economy. They value downtown as a gathering place for the community.</p> <p>She said, regarding natural resources, that this question was not specifically asked in many of the surveys that they looked at. When it <u>was</u> addressed it came out strongly. Only one survey ranked it as an issue. She wasn't sure what that meant – did it mean that people are currently satisfied with the options they have? She said they know it is a strong value. When people are asked how they feel about natural features and areas, it ranked very highly on both surveys. She said they consider it a major identity for Tigard and it also came up most strongly in its relationship to neighborhood livability and for downtown. She said this is where the Comprehensive Plan process will have to do more work in asking how we treat these areas. The words - preserve, respect and protect - have different meanings and connotations. She said they would need to be very clear about what these terms mean. For each of these words there is a financial component. There would be a priority, but also the question of the mode of action and how to make that happen.</p> <p>She said for public facilities questions, the main issues that came up were roads, effectiveness and maintenance, planning, recreation, public safety and</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>future costs. She said residents value the current level of service. The recent survey showed that people are quite satisfied with their current level of service. Library, police and parks are the top rated services. She said one thing to keep in mind when planning for future options is how to maintain current levels of service that work for existing residents and still move forward to the future.</p> <p>Schools and school funding ranked very highly as an issue. Senior Planner St. Amand said the current Tigard Comprehensive Plan does not address education or schools and the current work program they are working on today does not either, although it was included in the Tigard beyond Tomorrow process.</p> <p>She said "communication" as a topic was not identified through any scientific surveys but there was a volunteer survey from 2005 and the leadership group concluded that there was no one best way to communicate with our citizens. A multiple approach would be best and the City will be following that throughout the Comprehensive Plan Update process.</p> <p>Senior Planner St. Amand said that the key issue of the surveys is determining how Tigard will grow in the future. Does it mean limit growth or does it mean accommodate growth? And how will this choice affect available design solutions for the community or impact the community's values?</p> <p>Councilor Wilson thanked staff, saying this was the first time he'd seen everything analyzed together. He found it interesting that people liked the library before we built the new one.</p> <p>One thing Councilor Wilson felt needed more study was the issue of accommodating or discouraging growth. He said it seemed that there are different aspects to growth and they are controversial. He said increased density in neighborhoods always upsets people yet there is also the issue of commercial growth. He said people don't usually object to a new grocery store or something even</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>though more traffic comes with it and that's a hot button issue. He said it would be helpful to learn in more detail, what about growth upsets people.</p> <p>Councilor Woodruff said it would be interesting to determine whether "accommodate" means growth is grudgingly accepted because its here and we can't stop it – or if it means that we want to do it and we want to do it in the right way.</p> <p>Community Development Director Coffee said the latter approach is what's in the Tigard beyond Tomorrow document that says "accommodate growth while protecting natural resources."</p> <p>Mayor Dirksen said there was another survey done at the behest of Metro and the results were viewed by the Mayors and Chairs Forum. They asked some of the same questions about growth but in a different way such as, "Do you think that it's possible to curb growth or is it something that we just have to accept will happen?" And the consensus among people was that they were not particularly excited about growth but they acknowledged it's going to happen and we need to deal with it in a comprehensive way so we can regulate and control it - not necessarily stop it.</p> <p>Councilor Wilson said he was surprised that protecting trees did not rank among the top issues, yet it's always one of the "hot button" issues for every development that comes before the Council. He said perhaps people are lamenting the loss, but feeling like it's fair to allow people to do what they want to do.</p> <p>Community Development Director Coffee said the Planning Commission and the Code committees have been looking at tree protection and the Tree Code. The Tree Board is looking at the Code from a different perspective.</p> <p>Senior Planner St. Amand noted that in a 2004 Recreation Options Survey a very high percentage of respondents said they wanted to protect natural areas yet support for a bond measure to do exactly</p>	



Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>that was significantly less than the majority. Councilor Woodruff asked what the next steps were. Community Development Director Coffee said the reason for bringing this information to the Planning Commission and Council was to summarize in one place what the community's been hearing for the past few years and more or less verify, with a statistically valid study, the visioning process that's been going on for several years. He said it would be the basis for drafting policies and alternative scenarios for growth and development of the City. He said that will form the basic draft plan that will be taken through the Planning Commission and out to the public. The workload will be managed by breaking it down into sections and dealing with one section at a time, bearing in mind that it will all have to relate and inevitable conflicts resolved.</p> <p>Senior Planner St. Amand said they are currently working on the State of the City 2006 report which essentially assesses the current conditions for each topic. They have been to the Planning Commission with the Environmental Quality topic and Natural Resources is next on the docket, followed by Community and Public Facilities. The reports should be done by the beginning of 2007.</p> <p>They are now sending out information to interested parties through an electronic news list, press releases and Cityscape articles to encourage people to participate by commenting through e-mail or attending meetings. Next year the focus will be on active decision making and looking at alternatives together and going out to the public and focusing on each topic.</p> <p>Mayor Dirksen gave commendations to Senior Planner St. Amand and said it was an excellent report and analysis of current and prior surveys compiled together. He said it was a valuable document that will be of use to the City in many ways.</p> <p>Community Development Director Coffee said that was the idea behind making the Comprehensive Plan more than just a land use document; it really is</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	a strategic plan for the City.	
<p>7. Status Report: Tualatin River Bike/Pedestrian Bridge Project</p>	<p>Engineer Gus Duenas said that Councilor Wilson asked about the Tualatin River Bike/Pedestrian Bridge at the June 13, 2006 Council meeting. He introduced Paul Hennon, Community Services Director from the City of Tualatin, who gave a PowerPoint presentation on the project.</p> <p>Mr. Hennon said the project is well underway. All materials are on site and available. He said the costs have been within the estimate and the change orders are within the project contingency. He noted that the project is expected to be completed either by the end of calendar year 2006, or January 2007. A Grand Opening next year will be coordinated between the three cities of Tigard, Tualatin and Durham.</p> <p>Mr. Hennon said one issue is an effluent reuse line from the Durham Sewage Treatment Plant to the Tualatin Country Club across the river. The pipeline would have to be lowered as it runs across the proposed path in Cook Park. The solution developed was to re-route the path from Cook Park's Butterfly Garden to the bridge, which avoids the additional cost of lowering the reuse pipeline. He said it was also a more elegant design. The path is a little longer now but additional concrete costs paid by Tigard will be reimbursed at the end of the project.</p> <p>The Path on the Tigard side will go under the railroad bridge. Safety fence will be installed to protect pedestrians from falling rocks. The bridge contract covers laying the path foundation. The City of Tigard will have to pave it.</p> <p>Mr. Duenas gave an overview of the realigned trail. He said the realignment requires a revised Cleanwater Services easement. It eliminates the needs for stairs. It is about 1400 lineal feet of trail. The bids were opened on July. Mr. Duenas noted that bids were advertised in the two places Tigard normally advertises – the Tigard Times, because the City is required to advertise locally, and the Daily Journal of Commerce, which is the paper read by all</p>	<p>Mr. Duenas said a contract and budget amendment will be coming to the Council on August 8, 2006. If a contract is approved, the project construction period would be August 28-October 13, 2006.</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>the contractors. Five bids were received ranging from \$99,540 to \$179,299. Staff recommends accepting the low bid. The available funds are \$92,800, down from the original \$97,000 because some design fees were made necessary by wetland delineation. \$120,000 is the amount needed for construction and there is a funding shortfall of \$27,200. Mr. Duenas discussed this with the City's Finance Department who has indicated there is sufficient funding in the contingency to award this. He also noted that Mr. Hennon said Tigard will receive some reimbursement at the end of the project.</p> <p>Councilor Woodruff asked Mr. Hennon what the amount of the refund at the end of the bridge project would be. Mr. Hennon "did not give a number but said, "It would cover that."</p> <p>Mayor Dirksen said he looked forward to the grand opening and being able to ride a bike across the bridge. The length of the trail was discussed and Mr. Hennon said a previously published map should be redone to indicate this new trail connection between Tualatin Community Park and Tigard's Cook Park. Ultimately, Mr. Hennon said, you would be able to go from Cook Park across this bridge, take the Tualatin River Greenway Trail over to the new Tualatin River National Wildlife Refuge.</p> <p>City Manager Prosser said the region's long range vision is to have a trail system that circles the entire region. So as each jurisdiction completes these segments that vision comes closer to reality.</p>	
8. Council Liaison Reports		
9. Non-Agenda Items	This item was considered between Items 4 and 5.	

Agenda Item	Discussion & Comments	Action Items (follow up)
10. Executive Session	Not held.	
11. Adjournment	Mayor Dirksen adjourned the Council Business Meeting.	<p>Motion by Councilor Sherwood, seconded by Councilor Woodruff to adjourn the Council Meeting and convene the Local Contract Review Board Meeting</p> <p>The motion passed with a unanimous vote of Council present:</p> <p>Mayor Dirksen      Yes  Councilor Harding   Yes  Councilor Sherwood   Yes  Councilor Wilson     Yes  Councilor Woodruff   Yes</p>
Local Contract Review Board	<p>1.1    The Local Contract Review Board was called to order by Chair Dirksen.</p> <p>1.2    Roll Call</p> <p>Local Contract Review Board Members Present: Chair Dirksen, Board Members Harding, Sherwood, Wilson, and Woodruff.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
<p>2.Consider Awarding Contract for Design Services for Phase 3 (Burnham Street) of the Tigard Downtown Comprehensive Streetscape Project</p>	<p>City Engineer Duenas gave the staff report. He noted that on November 8, 2005, the LCRB awarded a contract to OTAK for Phase 1 design of the Tigard Downtown Comprehensive Streetscape Project. Phase 2 is for Commercial Street and Phase 3 is for Burnham Street. He said the original Request for Proposals included design services for all three phases. However, because the streetscape design was expected to determine the design elements to be included in Phases 2 and 3, the contract award for those two phases was withheld. He said the intention was to execute an additional contract for those phases once the design concepts were established and the scope for the next two projects was better defined.</p> <p>Mr. Duenas said they have now determined what Burnham Street will look like after working with the Streetscape Working Group, the City Center Advisory Commission and the Council. He said they want to get going on this project as soon as possible so they can meet the timeframe for constructing Burnham Street. There is also some right-of-way acquisition that needs to be defined.</p> <p>Mr. Duenas said staff and OTAK negotiated the cost for the basic design as well as some extra services to help with the bid phase and through the construction phase. He asked that Council approve a contract in the amount of \$463,525 with an additional contingency amount of \$46,353, for a total amount of \$509,878.</p> <p>Councilor Woodruff asked what assurances Mr. Duenas had that this was a competitive bid compared to what other bids were.</p> <p>Mr. Duenas said several firms submitted proposals in the RFP process. The initial proposal was based on not knowing the full scope of what Burnham Street would be. They didn't want to award the contract until they knew what the scope would be.</p> <p>Councilor Wilson asked what the price was for OTAK's original proposal. Mr. Duenas said it was \$315,000, but it was based on a loose and vague</p>	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to approve the OTAK contract</p> <p>The motion passed with a unanimous vote of Council present:</p> <p>Mayor Dirksen      Yes  Councilor Harding    Yes  Councilor Sherwood   Yes  Councilor Wilson      Yes  Councilor Woodruff    Yes</p>

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>concept. He we needed to explore which Green Streets elements were going to be added. He said a basic design for this project, including underground utility and survey information was done about five years ago. This information had to be verified but was usable. This same information was available to all other firms submitting a proposal. He felt that OTAK's price was competitive. He noted that the more care taken in the design phase, the better the chances are that you'll get a good bid for the construction phase.</p> <p>Councilor Wilson said, "The proposed price is so high and I was thinking that by getting a better idea of what you're doing, the price might go down a little, rather than the opposite...I'm chagrined that that happened. I thought Green Streets were in the plan from the beginning and it's still not clear to me what would have caused it to go up, other than it being perhaps anti-competitive."</p> <p>Mr. Duenas said that one of the charges we had with OTAK was to see if the Green Streets elements were feasible. He said it wasn't certain at the time we went out for the RFP to what extent we could do Green Streets.</p> <p>Mayor Dirksen said, "I'm not sure what else we could do other than ask for a detailed breakdown of the bid and I'm considering asking for that before I give approval."</p> <p>Councilor Harding said she would concur.</p> <p>Councilor Woodruff said he had no problem with OTAK and thought they've been doing a great job. He said, "On a principle basis, when you're talking about this much money...public dollars... the way that we are obligated to do that generally is to have an open and competitive process and to evaluate bids that come in for a specific project that has specific deliverables and specific details determined. Without that, we're making judgments that this is the best bid for whatever reason. And it certainly may be. Maybe it's the best; I just don't know that."</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
	<p>Mr. Duenas pointed out that in an RFP process, cost is only one consideration; it is based on qualifications also. He said one of the key items in the selection of OTAK was not only price but the capabilities of the firm and their availability to get the work done. They have staff ready to start right now.</p> <p>Councilor Sherwood said what they were asking for is a detailed breakdown of what everything will cost. Mr. Duenas said staff could provide that. Mayor Dirksen noted that if they ask to see it today their next opportunity to meet is August 8<sup>th</sup>. He asked Mr. Duenas what that would do to the schedule.</p> <p>OTAK Principal Dan Dawson spoke to the Council regarding the contract their proposed. He said it is time and materials contract whereby they've given an estimate of what they think it will cost but they will only charge for actual time spent. He also commented on bidding professional design services. He suggested that what the Council is really interested in is the total cost of the project. He said often times more money spent up front on good design can save money later on construction. He said as far as scheduling, there is a lot of construction going on right now and the first piece of this contract is for surveying. He said OTAK has their own survey staff ready to finish the final survey to get the right-of-way going.</p> <p>Councilor Wilson said, "I can vouch for the fact that people are busy right now and it's very likely that we could go out (for bid) again and not fare much better. You want to hit the construction window and hit the ground running in the spring."</p> <p>Mayor Dirksen said he wanted to see the City get value for taxpayers' dollars spent. He said Council has to rely on professionals, and staff in particular, to tell Council whether they are making the best decisions.</p>	

Agenda Item	Discussion & Comments	Action Items (follow up)
3. Adjournment	The Local Contract Review Board Meeting was adjourned at 9:45 p.m.	<p>Board Member Sherwood motioned to adjourn and Board Member Harding seconded. The motion passed with a unanimous vote of Council present:</p> <p>Chair Dirksen                      Yes  Board Member Harding    Yes  Board Member Sherwood Yes  Board Member Wilson      Yes  Board Member Woodruff Yes</p>

Attest:

\_\_\_\_\_  
Carol A. Krager, Deputy City Recorder

\_\_\_\_\_  
Mayor, City of Tigard

Date:\_\_\_\_\_



Agenda Item No. 9.2  
Meeting of 8.15.06

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/ Agenda Title Appointment of Dan Pelissier to the Building Appeals Board

Prepared By: Gary Lampella Dept Head Approval: TC City Mgr Approval: EAM fercp

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**ISSUE BEFORE THE COUNCIL**

Shall Council approve the appointment of Dan Pelissier to the Building Appeals Board?

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**STAFF RECOMMENDATION**

Staff recommends that Council appoint Dan Pelissier to fill the vacant General Contractor position on the Building Appeals Board.

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**KEY FACTS AND INFORMATION SUMMARY**

On March 6, 2006 Council interviewed applicants for all seven positions on the Building Appeals Board. All but the general contractor positions were filled and subsequently appointed by Council on March 28, 2006. The City further advertised for the vacant general contractor position and Dan Pelissier was interviewed by the Mayor's Appointments Advisory Committee on July 27, 2006. He was successful in the interview and was recommended to fill this position.

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**OTHER ALTERNATIVES CONSIDERED**

None

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**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Community Character & Quality of Life, Volunteerism Goal # 1: City will maximize the effectiveness of the volunteer spirit to accomplish the greatest good for our community.

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**ATTACHMENT LIST**

Attachment 1: Proposed resolution appointing Dan Pelissier to the Building Appeals Board

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**FISCAL NOTES**

There is no budgetary impact for the Building Appeals Board.

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION OF THE TIGARD CITY COUNCIL APPOINTING DAN PELISSIER TO  
THE TIGARD BUILDING APPEALS BOARD

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WHEREAS, on March 28, 2006, the City Council appointed 6 members to the 7-member Tigard Building Appeals Board; and

WHEREAS, the general contractor position to the Tigard Building Appeals Board was not filled on March 28, 2006; and

WHEREAS, the City advertised for the vacant general contractor position; and

WHEREAS, the Mayor's Appointments Advisory Committee interviewed Dan Pelissier on July 27, 2006, and recommends his appointment to fill the vacant general contractor position.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Dan Pelissier is appointed to the Building Appeals Board as the general contractor member.

SECTION 2: This term shall expire on April 1, 2008.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

Agenda Item No. 9.3  
Meeting of 8.15-06

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #4 to the FY 2006-07 Budget to Increase Appropriations in the Gas Tax Capital Projects Budget within the Community Investment Program for Additional Funding for the Hall Boulevard Sidewalk Project.

Prepared By: Michelle Wareing Dept Head Approval: [Signature] City Mgr Approval: [Signature]

**ISSUE BEFORE THE COUNCIL**

Shall the City Council approve Budget Amendment #4 to increase appropriations in the Gas Tax Capital Projects budget for additional funding for the Hall Boulevard sidewalk project?

**STAFF RECOMMENDATION**

Staff recommends approval of Budget Amendment #4.

**KEY FACTS AND INFORMATION SUMMARY**

The Hall Boulevard Sidewalk total project cost was originally projected to be \$286,725 and was to be funded with a Community Development Block Grant (CDBG) of \$136,725 and Gas Tax revenues of \$150,000. During the budget process, only the Gas Tax portion of \$150,000 was appropriated for the total project cost. However, it should be noted that the CDBG grant revenue was included in the budget.

Bids have been received for the project and it was recommended by staff that the bids be rejected at the August 8, 2006 Council meeting. However, staff plans to re-bid the project in 2007 and is requesting that a budget amendment be done now so adequate funding is available for the project. This budget amendment will transfer \$150,000 from the Gas Tax Fund contingency to the Gas Tax Capital Projects budget. The total amount of appropriations for the Hall Boulevard Sidewalk project will be \$300,000 after the budget amendment.

**OTHER ALTERNATIVES CONSIDERED**

Do not approve Budget Amendment #4. The Gas Tax Capital Projects budget may or may not be overspent.

**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

None

**ATTACHMENT LIST**

Resolution including Attachment A.  
Memo from Vannie Nguyen to Gus Duenas.

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## FISCAL NOTES

This resolution transfers \$150,000 from the Gas Tax Fund Contingency to the Gas Tax Capital Projects budget for the additional funding for the Hall Boulevard sidewalk project.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION APPROVING BUDGET AMENDMENT #4 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE GAS TAX CAPITAL PROJECT BUDGET WITHIN THE COMMUNITY INVESTMENT PROGRAM FOR ADDITIONAL FUNDING FOR THE HALL BOULEVARD SIDEWALK PROJECT.

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WHEREAS, the Hall Boulevard Sidewalk total project cost was estimated to be \$286,725; and

WHEREAS, a Community Development Block Grant will fund \$136,725 of the total cost; and

WHEREAS, the Community Development Block Grant revenue was included in the FY 2006-07 budget; and

WHEREAS, during the budget process, only \$150,000, which was the portion of the project to be funded by Gas Tax revenues, was appropriated in the FY 2006-07 Budget; and

WHEREAS, the project was bid and staff recommended that the bids be rejected at the August 8, 2006 City Council meeting; and

WHEREAS, the project will be re-bid in early 2007 and it is likely that construction costs will increase; and

WHEREAS, staff is requesting that appropriations be increased to fund the total estimated project cost of \$300,000; and

WHEREAS, it is now necessary to amend the FY 2006-07 Budget to increase appropriations in the Gas Tax Capital Projects budget so adequate funding is available when the project is re-bid.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget is hereby amended as shown in Attachment A to this resolution to transfer \$150,000 from the Gas Tax Fund Contingency to the Gas Tax Capital Projects budget for additional funding for the Hall Boulevard Sidewalk Project.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

Attachment A  
FY 2006-07  
Budget Amendment # 4

FY 2006-07 Adopted Budget	Budget Amendment # 4	Adopted Revised Budget
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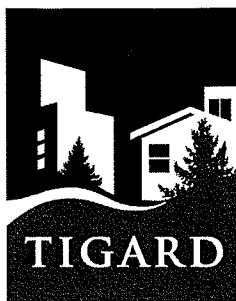
**Gas Tax Fund**

Resources

Beginning Fund Balance	\$2,527,366		\$2,527,366
Grants	228,025		228,025
Interagency Revenues	2,393,000		2,393,000
Development Fees & Charges	18,000		18,000
Interest Earnings	35,000		35,000
Other Revenues	127,642		127,642
Transfers In from Other Funds	0		0
Total	\$5,329,033	\$0	\$5,329,033

Requirements

Community Development Program	460,000		460,000
Program Expenditures Total	\$460,000	\$0	\$460,000
Debt Service	\$0		\$0
Capital Projects	\$2,885,000	\$150,000	\$3,035,000
Transfers to Other Funds	\$1,582,352		\$1,582,352
Contingency	\$400,000	(\$150,000)	\$250,000
Total Budget	\$5,327,352	\$0	\$5,327,352
Ending Fund Balance	1,681		1,681
Total Requirements	\$5,329,033	\$0	\$5,329,033



# MEMORANDUM

TO: Agustin P. Duenas, P.E.  
City Engineer

FROM: Vannie Nguyen *ln*

RE: Budget Amendment Request for Hall Boulevard Sidewalk & Tualatin River Trail

DATE: July 27, 2006

This is to request that the FY 2006-07 CIP Budget be amended to increase the current Gas Tax Fund appropriation of \$150,000 to **\$300,000** for the Hall Boulevard Sidewalk project and to provide an additional amount of **\$28,000** from the Parks SDC Fund and non-SDC Fund for the Tualatin River Trail project. I request that the budget amendment be submitted to Council for approval in the meeting of **August 22, 2006**. The reasons for the request are as follows:

- Hall Boulevard Sidewalk:** This project will perform an essential community improvement in Tigard by installing sidewalk on Hall Boulevard from Spruce Street to 850 feet south. As stated in the FY 2006-07 CIP, the Hall Boulevard Sidewalk project has been approved for the Community Block Grant (CDBG) funding in the amount of \$136,725 with local matching funds of \$150,000 coming from the Gas Tax Fund for the total of **\$286,725**. We had requested \$150,000 in local matching funds plus the grant amount. However, only \$150,000 was carried forth to the approved budget.

In addition to the inaccurate indication of the budgeted amount, the bid received at the bid opening on July 25, 2006 for the project and other bids submitted at different bid openings indicate construction costs for public improvement projects have increased significantly. Council has been advised to reject the bid in the Council meeting of August 8, 2006.

In order to re-bid the project in 2007, I request that the project funding allocation of \$150,000 be amended to **\$300,000** to cover the anticipated increase in construction cost and to provide the full amount needed to construct the project. Of the amount, the City will be reimbursed by CDBG \$136,725 upon completion of the project. The local matching amount to be contributed by the City is therefore **\$163,275**.

- Tualatin River Trail:** This project will construct an 8-foot wide by 1,500-foot long concrete multi-use trail beginning from an existing concrete path in Cook Park to the Portland & Western Railroad Underpass.

The project is funded by the Oregon Parks and Recreation District in the amount of \$42,415.00 and the City's Parks Capital Fund in the amount of \$55,115.00 for the total of **\$97,530.00**. However, an additional amount of **\$28,000** is needed to complete the project. This shortfall is due to the following reasons: increase of construction costs, expansion of the project's limits



required by the Tualatin River Bridge project, compliance with Sensitive Lands permit conditions. The project cost is itemized as follows:

- Construction:	\$109,494.80
- Wetland Mitigation:	\$10,000
- Construction Inspection:	<u>\$5,000</u>
Total:	<b>\$125,000 (rounded)</b>
Available Budget:	<b>\$97,530</b>
Shortfall:	<b>\$28,000 (rounded)</b>

Michelle Wareing of Finance has suggested that \$6,440 be paid for with Parks SDC revenues and the remaining \$21,560 with non-SDC revenues. I request that the budget be amended to include this additional amount of **\$28,000**.

Thanks and please let me know if you have any questions regarding the request.

Agenda Item No. 9.4  
Meeting of 8.15.06

**COUNCIL AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title A Resolution Approving Budget Amendment #5 to the FY 2006-07 Budget to Increase Appropriations in the Parks Capital Projects budget within the Community Investment Program for Additional Funding for the Tualatin River/Cook Park Trail from Garden to Bridge Project.

Prepared By: Michelle Wareing Dept Head Approval: RHS City Mgr Approval: EAM for CP

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**ISSUE BEFORE THE COUNCIL**

Shall the City Council approve Budget Amendment #5 to increase appropriations in the Parks Capital Projects budget for additional funding for the Tualatin River/Cook Park Trail from Garden to Bridge project?

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**STAFF RECOMMENDATION**

Staff recommends approval of Budget Amendment #5.

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**KEY FACTS AND INFORMATION SUMMARY**

The FY 2006-07 Community Investment Program includes \$97,530 for the construction of the Tualatin River/Cook Park Trail from the butterfly garden to the new pedestrian bridge. The trail will be funded by an Oregon Parks and Recreation District grant in the amount of \$42,415 and the remainder will be funded with system development charges (SDCs) and non-SDC revenues.

Staff is requesting an additional \$28,000 for this project. The additional funding needed is due to increased construction costs, expansion of the project as required by the Tualatin River Pedestrian Bridge project, and compliance with sensitive lands permit conditions. This budget amendment will transfer \$28,000 from the Parks Capital Fund contingency to the Parks Capital Projects budget. The total amount of appropriations for the Tualatin River/Cook Park Trail from Garden to Bridge project will be \$125,530 after the budget amendment

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**OTHER ALTERNATIVES CONSIDERED**

Do not approve Budget Amendment #5. The Parks Capital Projects budget may or may not be overspent.

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**COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

None

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**ATTACHMENT LIST**

Resolution including Attachment A.  
Memo from Vannie Nguyen to Gus Duenas.

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## FISCAL NOTES

This resolution transfers \$28,000 from the Parks Capital Fund Contingency to the Parks Capital Projects budget for the additional funding for the Tualatin River/Cook Park Trail from Garden to Bridge project.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 06-\_\_\_\_\_

A RESOLUTION APPROVING BUDGET AMENDMENT #5 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE PARKS CAPITAL PROJECTS BUDGET WITHIN THE COMMUNITY INVESTMENT PROGRAM FOR ADDITIONAL FUNDING FOR THE TUALATIN RIVER/COOK PARK TRAIL FROM GARDEN TO BRIDGE PROJECT.

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WHEREAS, the FY 2006-07 Budget includes \$97,530 for the Tualatin River/Cook Park Trail from Garden to Bridge Project; and

WHEREAS, \$42,415 of the cost will be paid for with a Oregon Parks and Recreation District grant; and

WHEREAS, an additional \$28,000 in funding is needed due to increased construction costs, expansion of the project as required by the Tualatin River Pedestrian Bridge project, and compliance with sensitive lands permits conditions; and

WHEREAS, it is now necessary to amend the FY 2006-07 Budget to increase appropriations in the Park Capital Projects budget to fully fund this project.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2006-07 Budget is hereby amended as shown in Attachment A to this resolution to transfer \$28,000 from the Parks Capital Fund Contingency to the Parks Capital Projects budget for additional funding for the Tualatin River/Cook Park Trail from Garden to Bridge Project.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2006.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

Attachment A  
FY 2006-07  
Budget Amendment # 5

FY 2006-07 Revised Budget	Budget Amendment #5	Revised Revised Budget
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**Parks Capital Fund**

Resources

Beginning Fund Balance	\$343,216		\$343,216
Grants	454,101		454,101
Development Fees & Charges	10,000		10,000
Interest Earnings	15,000		15,000
Other Revenues	40,000		40,000
Transfers In from Other Funds	2,088,252		2,088,252
Total	<b>\$2,950,569</b>	<b>\$0</b>	<b>\$2,950,569</b>

Requirements

Program Expenditures Total	\$0	\$0	\$0
Debt Service	\$282,025		\$282,025
Capital Improvements	\$2,482,876	\$28,000	\$2,510,876
Transfers to Other Funds	\$0		\$0
Contingency	\$125,000	(\$28,000)	\$97,000
Total Budget	<b>\$2,889,901</b>	<b>\$0</b>	<b>\$2,889,901</b>
Ending Fund Balance	60,668		60,668
Total Requirements	<b>\$2,950,569</b>	<b>\$0</b>	<b>\$2,950,569</b>



# MEMORANDUM

TO: Agustin P. Duenas, P.E.  
City Engineer

FROM: Vannie Nguyen *vn*

RE: Budget Amendment Request for Hall Boulevard Sidewalk & Tualatin River Trail

DATE: July 27, 2006

This is to request that the FY 2006-07 CIP Budget be amended to increase the current Gas Tax Fund appropriation of \$150,000 to **\$300,000** for the Hall Boulevard Sidewalk project and to provide an additional amount of **\$28,000** from the Parks SDC Fund and non-SDC Fund for the Tualatin River Trail project. I request that the budget amendment be submitted to Council for approval in the meeting of **August 22, 2006**. The reasons for the request are as follows:

- 1. Hall Boulevard Sidewalk:** This project will perform an essential community improvement in Tigard by installing sidewalk on Hall Boulevard from Spruce Street to 850 feet south. As stated in the FY 2006-07 CIP, the Hall Boulevard Sidewalk project has been approved for the Community Block Grant (CDBG) funding in the amount of \$136,725 with local matching funds of \$150,000 coming from the Gas Tax Fund for the total of **\$286,725**. We had requested \$150,000 in local matching funds plus the grant amount. However, only \$150,000 was carried forth to the approved budget.

In addition to the inaccurate indication of the budgeted amount, the bid received at the bid opening on July 25, 2006 for the project and other bids submitted at different bid openings indicate construction costs for public improvement projects have increased significantly. Council has been advised to reject the bid in the Council meeting of August 8, 2006.

In order to re-bid the project in 2007, I request that the project funding allocation of \$150,000 be amended to **\$300,000** to cover the anticipated increase in construction cost and to provide the full amount needed to construct the project. Of the amount, the City will be reimbursed by CDBG \$136,725 upon completion of the project. The local matching amount to be contributed by the City is therefore **\$163,275**.

- 2. Tualatin River Trail:** This project will construct an 8-foot wide by 1,500-foot long concrete multi-use trail beginning from an existing concrete path in Cook Park to the Portland & Western Railroad Underpass.

The project is funded by the Oregon Parks and Recreation District in the amount of \$42,415.00 and the City's Parks Capital Fund in the amount of \$55,115.00 for the total of **\$97,530.00**. However, an additional amount of **\$28,000** is needed to complete the project. This shortfall is due to the following reasons: increase of construction costs, expansion of the project's limits

required by the Tualatin River Bridge project, compliance with Sensitive Lands permit conditions. The project cost is itemized as follows:

- Construction:	\$109,494.80
- Wetland Mitigation:	\$10,000
- Construction Inspection:	\$5,000
Total:	<b>\$125,000 (rounded)</b>
Available Budget:	<b>\$97,530</b>
Shortfall:	<b>\$28,000 (rounded)</b>

Michelle Wareing of Finance has suggested that \$6,440 be paid for with Parks SDC revenues and the remaining \$21,560 with non-SDC revenues. I request that the budget be amended to include this additional amount of **\$28,000**.

Thanks and please let me know if you have any questions regarding the request.

Agenda Item No. 95a.  
Meeting of 8.15.06

## LOCAL CONTRACT REVIEW BOARD AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title: Award of Contract for the Construction of the FY 2006-07 Pavement Major Maintenance Program (PMMP) – Phase 1

Prepared By: Vannie Nguyen

Dept Head Approval: TC

City Mgr Approval: ECM for CP

### ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the Local Contract Review Board approve the contract award for the construction of the FY 2006-07 PMMP – Phase 1?

### STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board, by motion, approve the contract award to Morse Brothers in the amount of **\$254,330.23** and authorize an additional amount of **\$25,433.00** to be reserved for contingencies and applied as needed as the project goes through construction. The total amount committed to the project is therefore **\$279,763.23**.

### KEY FACTS AND INFORMATION SUMMARY

- The project was advertised for bids on July 18 and July 20, 2006 in Daily Journal of Commerce and The Times respectively. Bids were opened on August 1, 2006 at 2:00 pm and the bid results are:

Morse Brothers	Sherwood, OR	<b>\$254,330.23 (low bid)</b>
Brix Paving	Tualatin, OR	\$299,236.00
Eagle Elsner	Tigard, OR	\$307,375.40
K.F. Jacobsen	Portland, OR	\$311,425.35
Baker Rock Resources	Beaverton, OR	\$328,875.67
<b>Engineer's Estimate Range</b>		<b>\$290,000 to \$355,000</b>

- This project is the first phase of a two-phase PMMP project included in the FY 2006-07 Community Investment Program. Phase 2 will be advertised for bids in early 2007. Phase 1 provides pavement maintenance on 10 City streets. That list may change to include additional streets based on the low bid received above. Phase 1 currently includes pavement overlay on the following streets: 68<sup>th</sup> Parkway (between Atlanta St and Hwy 99W), 72<sup>nd</sup> Ave (between Baylor St and Hwy 99W), 100<sup>th</sup> Ave (between Sattler Rd and Murdock St), Garden Park Place (east of 110<sup>th</sup> Ave), Durham Rd/Hall Blvd intersection and Main St/Hwy 99W intersection.
- Pavement overlay is one of the most effective rehabilitative treatments to restore the pavement's structural failure, fatigue and cracking. Before applying a two-inch overlay on the streets, the contractor will seal existing cracks, mill along the edges of existing curbs, and place geotextile fabric on the pavement surface. The "Dig-out and repair" technique will also be applied in areas that have serious pavement failure. This



involves removal of the existing pavement and aggregate base at a depth of one foot or more and replacement with new materials.

- This project will restore more than 5,300 lineal feet of existing city streets by using 2,200 tons of asphaltic concrete for the restoration.
- An ODOT permit has been obtained for work to be performed at the Main St/Hwy 99W intersection.
- The contractor will complete all work for the Main St/Hwy 99W and the Durham Rd/Hall Blvd intersections between 8:00 PM and 5:00 AM to avoid traffic delays during peak hours.

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#### **OTHER ALTERNATIVES CONSIDERED**

None

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#### **COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

This project meets the Tigard Beyond Tomorrow Transportation and Traffic goals of "Improve Traffic Flow and Safety".

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#### **ATTACHMENT LIST**

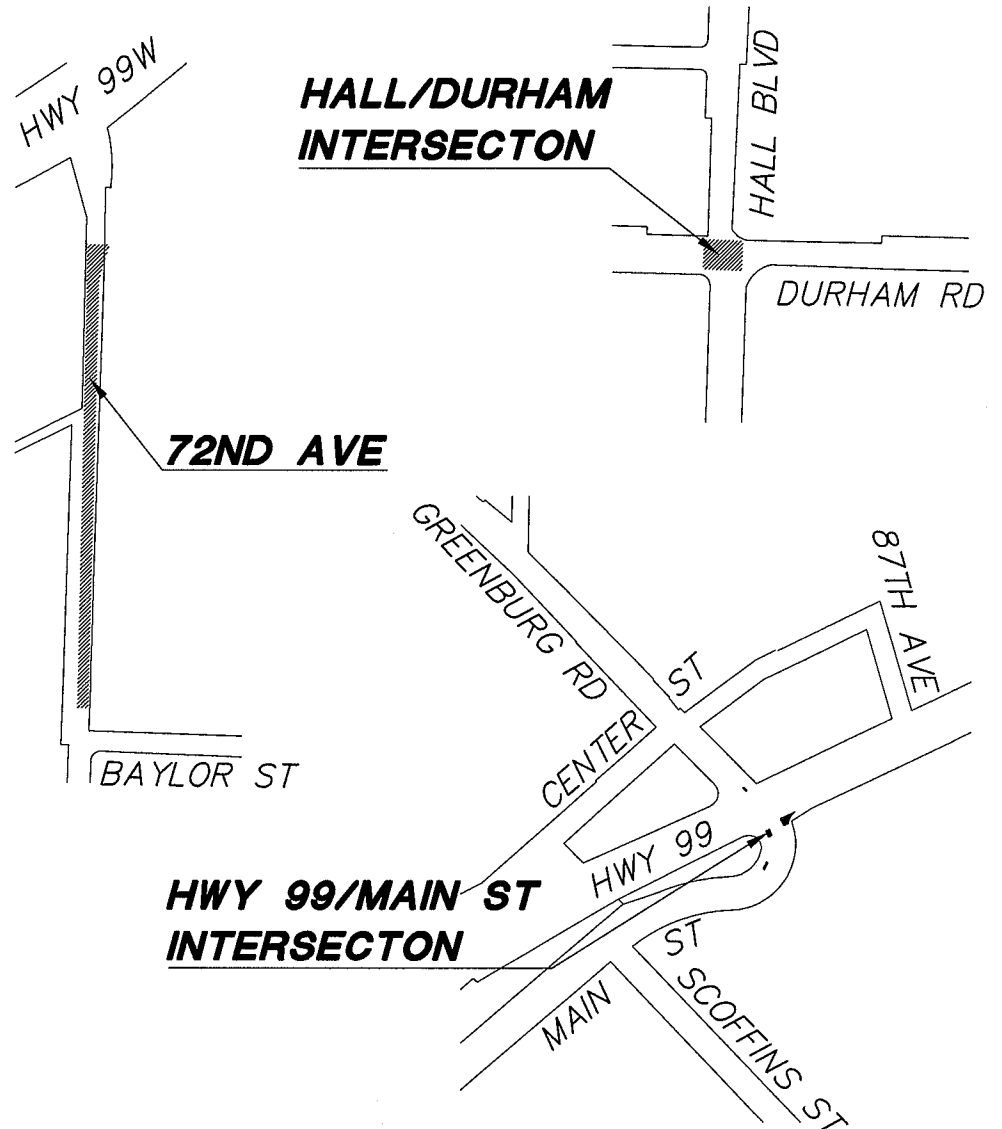
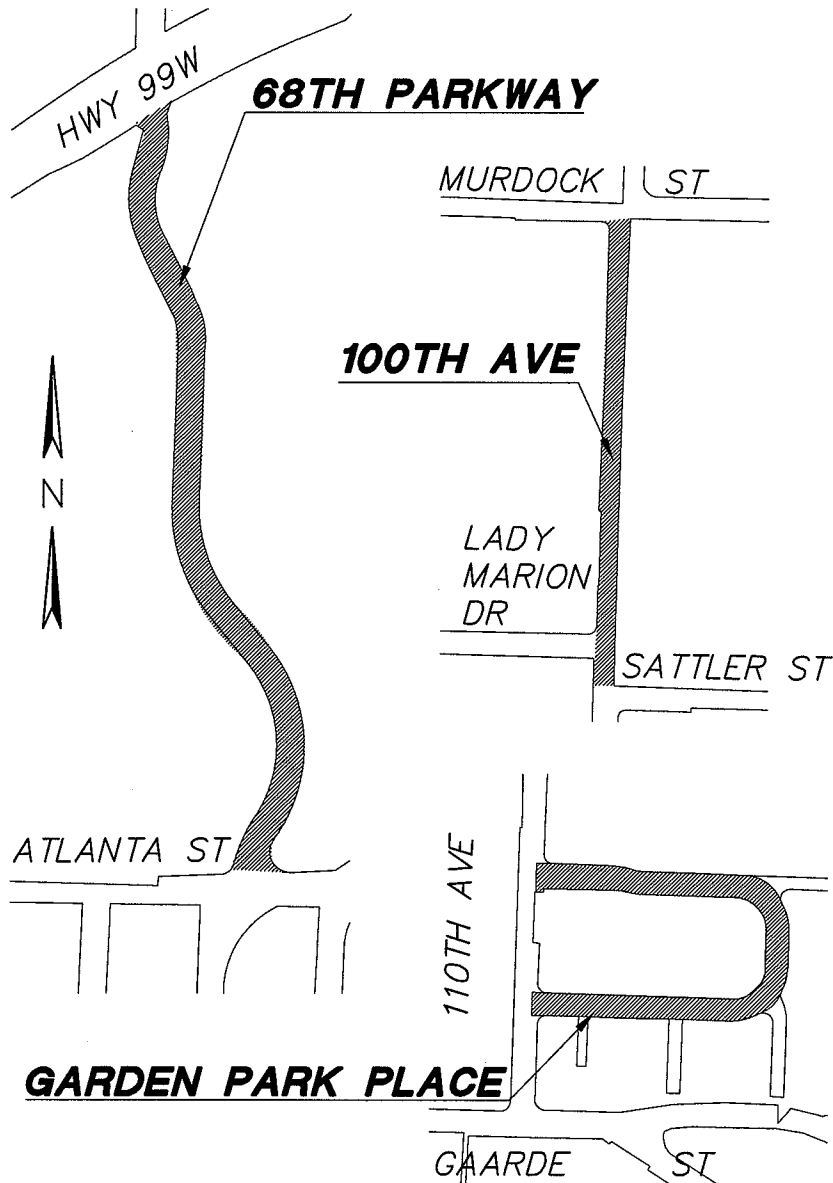
Project location map

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#### **FISCAL NOTES**

The amount of \$950,000 is available in the FY 2006-07 CIP Street Maintenance Fee Fund for this phase and Phase 2, which is scheduled to be completed in the spring of 2007. This amount is sufficient to award a construction contract of \$254,330.23 for Phase 1 and provide a contingency amount of \$25,433.00 for a total project commitment of \$279,763.23.

**FY 2006-07 PAVEMENT MAJOR MAINTENANCE PROGRAM PHASE 1**  
**ASPHALTIC CONCRETE OVERLAY**  
**(GARDEN PARK PLACE, 68TH PARKWAY, 72ND AVENUE, 100TH AVENUE,**  
**HALL BOULEVARD/DURHAM ROAD & HWY 99/MAIN STREET INTERSECTIONS)**




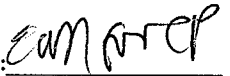
Agenda Item No. 9.56  
Meeting of 8.15.06

**LOCAL CONTRACT REVIEW BOARD AGENDA ITEM SUMMARY**  
City Of Tigard, Oregon

Issue/Agenda Title Contract Award for Grounds Maintenance at the City's Water Reservoir Sites & Storm Water Quality Facilities

Prepared By: Dennis Koellermeier

Dept Head Approval: 

City Mgr Approval: 

**ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD**

Shall the Local Contract Review Board (LCRB) award a contract for grounds maintenance at the City's water reservoir sites and storm water quality facilities to All Seasons Grounds Care and authorize staff to take the necessary steps to execute the contract?

**STAFF RECOMMENDATION**

Staff recommends that the LCRB award the contract for grounds maintenance at the City's water reservoir sites and storm water quality facilities to All Seasons Grounds Care and authorize staff to take the necessary steps to complete and execute the contract.

**KEY FACTS AND INFORMATION SUMMARY**

In 1977, the Oregon legislature passed the "Products of Disabled Individuals" Act (ORS 279.835 to ORS 279.855). This law obligates all state and local governments, school districts, and other tax-supported political bodies in Oregon, to purchase goods and services from Qualified Rehabilitation Facilities (QRFs) when the product or service meets the agencies requirements, exempting competitive bidding requirements. A QRF is a non-profit organization that puts Oregonians with disabilities to work. The mission of a QRF is to help disabled people achieve self-confidence and independence and become productive citizens by working in the community in which they live. Currently, QRFs provide the City with janitorial services, City Hall and Library grounds maintenance, mailing services, custom stamps, and other occasional goods and services.

During this fiscal year's budget process, staff determined it was cost effective to contract out grounds maintenance service at the City's water reservoir sites and storm water quality facilities. Given that grounds maintenance is a service provided by various QRF organizations, staff moved forward in obtaining quotes from All Seasons Grounds Care for the service. All Seasons Grounds Care is the City's current service provider of grounds maintenance at City Hall, the Library, Tigard Water Building, and Senior Center.

A requirement in contracting with a QRF organization is the submission of a Request for Approval of Price Determination with the State's Department of Administrative Services before the execution of any contract.

This requirement has been met and a copy of the State's approval is attached. Based upon the pricing determination and All Seasons Grounds Care's excellent service at other City facilities, staff recommends the award of a contract for an initial term of one year, with four additional one-year options, to All Seasons Grounds Care for grounds maintenance service at the City's water reservoir sites and storm water quality facilities.

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#### **OTHER ALTERNATIVES CONSIDERED**

The Council could choose not to award the contract and direct staff to either continue to perform this work in-house or to seek out another QRF organization.

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#### **COUNCIL GOALS AND TIGARD BEYOND TOMORROW VISION STATEMENT**

Tigard Beyond Tomorrow, Community Character & Quality of Life, Community Aesthetics Goal #1 – "Identify and implement projects and activities that enhance aesthetic qualities valued by those who live and work in Tigard."

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#### **ATTACHMENT LIST**

- 1) State of Oregon Department of Administrative Services Request for Approval of Price Determination.

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#### **FISCAL NOTES**

The cost for the service over the first year of the agreement is estimated to be \$65,555. The total expense of the contract, if all five years are exercised, is estimated at \$351,536.



Department of Administrative Services

STATE PROCUREMENT OFFICE (SPO)

Request for Approval of Price Determination

For Grounds Maintenance @ Tigard Water Sites, Contract # \_\_\_\_\_  
(product or service)

Total Price: \$ 65,554<sup>73</sup>, per year

Requesting Agency: City of Tigard

Requesting QRF: Shangri-La Corporation, dba All Seasons Grounds Care

Agency and QRF agree the proposed price and supporting documentation meets the requirements of OAR 125-055-0030.

[Signature], date: 7/20/06  
Authorized Agency Signature

Brian D. Rager  
Print Name

[Signature], date: 7-20-06  
Authorized QRF Signature

DEAN Chilson  
Print Name

DAS/SPO has reviewed the submitted documentation supporting the price offered by the QRF and approves the price for procurement of the above stated product or service in accordance with OAR 125-055-0030.

[Signature], date: 7/20/2006  
DAS/SPO QRF Coordinator

2006-07-20 13:12:10